Legal article

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Marrying in Thailand: the legal steps, the prenup deadline, and the visa

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> This article is general legal information, not a legal opinion on any specific matter. Each matter must be assessed on its own facts and evidence. The latest online version is at https://retireinthailandadvisory.com/marriage-prenup-thailand.html

Key points

- **The ceremony is not the marriage.** Only registration at the district office creates the legal status; section 1465 of the Civil and Commercial Code then applies the statutory property regime unless you agreed otherwise beforehand.
- **A prenup has exactly one valid moment.** Section 1466 voids it unless it is entered in the Marriage Register at the time of registration, in writing and signed by both spouses and at least two witnesses.
- **It cannot be fixed later.** Section 1467 allows alteration after marriage only by authorisation of the court.
- **Sin suan tua is narrower than people assume.** Section 1471 keeps pre-marital property, personal effects and property acquired during the marriage by inheritance or gift separate, while section 1474 sweeps the fruits of that property into sin somros.

- **Agreements made during the marriage are fragile.** Section 1469 lets either spouse avoid them at any time during the marriage, or within one year of its dissolution.
- **Marriage support costs half of retirement support.** It asks ฿400,000 on deposit or ฿40,000 monthly income against ฿800,000 or ฿65,000, at the price of a longer file and both spouses attending.

Two facts surprise almost every foreign client. First: the wedding ceremony means nothing legally, only **registration at the amphur** creates a marriage. Second: a prenuptial agreement is valid **only if registered on the same day as the marriage**. Everything else is paperwork sequencing.

The registration sequence (2-3 weeks, done right)

Only registration at the amphur creates a marriage in Thai law; the ceremony carries no legal effect. The sequence below exists because the registrar needs documentary proof that you are free to marry, and because section 1466 of the Civil and Commercial Code makes the prenup deadline that same day.

1. **Affirmation of freedom to marry** from your embassy in Bangkok (each embassy has its own form and fee; some require appointments weeks ahead).
2. **Translation** of the affirmation into Thai by a certified translator.
3. **Legalisation** at the Ministry of Foreign Affairs (Chaeng Watthana), normal or express track.
4. **Registration at the amphur**, any district office nationwide; some are famously foreigner-friendly, some want an interpreter present. Marriage certificate (Kor Ror 3) issued on the spot.
5. **Report the marriage home** if your country requires it, and update your will; marriage can revoke prior wills under some home-country laws.

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The prenup, one chance, on one day

Section 1466 voids a prenuptial agreement unless it is entered in the Marriage Register at the time of marriage registration, in writing, signed by both spouses and two witnesses. Section 1467 then bars any alteration after marriage except by authorisation of the court, so the day really is the only one.

Thai marital property law splits property acquired during marriage (*sin somros*) 50/50 on divorce, while pre-marital property (*sin suan tua*) stays separate, in theory. In practice, tracing gets murky fast: the condo bought during marriage with your pre-marital savings, the joint account your pension lands in. A prenup registered with the marriage keeps the map clean. It must be in writing, signed before two witnesses, and **registered at the amphur at the moment of marriage registration**. We draft bilingual prenups (฿30,000-60,000) and attend the registration; combined with marriage-registration handling (฿15,000-25,000), the whole sequence is one engagement (fees).

The marriage visa, half the money, double the paperwork

The real choice is between two extensions of stay granted under the Immigration Act B.E. 2522, not between two visas. Marriage support asks ฿400,000 on deposit or ฿40,000 a month and leaves work rights open; retirement support asks ฿800,000 or ฿65,000 and closes them.

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	Marriage extension	Retirement extension
Bank deposit	**฿400,000** (2-month seasoning)	฿800,000
Monthly income	**฿40,000**	฿65,000
Age	Any	50+
Extras	Both spouses attend; photos, map to home, possible house visit; processing includes a review period	Simpler, faster
Work	Work permit possible	Not permitted

Retirees over 50 who qualify for both often still choose the retirement route for its simpler renewals, unless the ฿400,000 difference matters or they want work rights. We run the comparison as part of any case assessment.

Property caution: land bought during marriage to a Thai spouse requires the foreigner to sign a declaration that the funds are the Thai spouse's separate property, meaning on divorce, that land is presumptively not yours. Understand this *before* funding a land purchase, not after. See usufructs for how to protect your right to live in the family home.

Common questions

Most questions we receive concern timing rather than substance. Section 1466 of the Civil and Commercial Code fixes the prenup to the moment of registration and section 1467 closes the door afterwards, so the answers below are mainly about getting the order of steps right.

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Is a Buddhist wedding ceremony a legal marriage in Thailand?

No. Only registration at a district office (amphur) creates a legal marriage. A ceremony without registration gives the partner no inheritance rights, no marital property rights, and no basis for a marriage visa.

Can I sign a prenuptial agreement after marrying in Thailand?

No. Under Thai law a prenuptial agreement is valid only if registered together with the marriage at the amphur on the day of registration. After the wedding it is too late, this is the single most common regret we hear.

What are the requirements for a Thai marriage visa?

The one-year extension based on marriage to a Thai national requires 400,000 baht in a Thai bank seasoned 2 months, or 40,000 baht monthly income, half the retirement requirement. Trade-off: more documents (family photos, house visits possible) and both spouses attend.

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