Siam Legal International Explains Thailand's New Deportation Regulation

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Siam Legal International, a full-service law firm with more than 22 years of experience, is reporting on a newly implemented Prime Minister's Office regulation that establishes a unified process for the deportation of foreign nationals. The regulation does not create new deportation powers or new criminal offenses, as the legal authority to deport foreign nationals has existed for decades under the Deportation Act of 1956 and the Immigration Act of 1979. What has changed is the administrative process, replacing what was previously an unstandardized inter-agency workflow with a formal framework for identifying, referring, reviewing, and processing deportation cases.

Under the new regulation, deportation cases may proceed through one of two legal tracks. The first track covers general conduct and public welfare, allowing a case to be referred to the Minister of Interior for deportation review if a foreign national's conduct or circumstances are considered contrary to public order, good morals, or public welfare, and this process can begin without a prior criminal conviction. The second track applies to six defined categories of statutory violations following a final court judgment, including unlawful entry or stay, unauthorized employment, operating a business in violation of the Foreign Business Act, forging or using forged official documents, committing an offense punishable by five years or more in

prison, and acting as a principal, instigator, or supporter of any of these violations.

One of the most significant operational changes concerns foreign nationals serving prison sentences. Previously, the absence of standardized advance coordination could create administrative delays once a sentence was completed. Under the new system, the Department of Corrections must notify the Ministry of Interior at least 15 days before an individual's release, allowing the government to review the case and prepare any deportation order in advance so that immigration procedures can begin promptly after release.

A referral or violation does not automatically result in deportation, as the Minister of Interior must review each case individually, weighing applicable laws, cabinet resolutions, and Thailand's international obligations. Where a deportation order is issued, it may also specify a defined period during which the individual is barred from re-entering Thailand. Separately, the regulation allows another country or an international organization to request, through diplomatic channels within seven days of a deportation order, that the individual be sent to that country or a third country rather than their country of nationality, citing the risk of torture, enforced disappearance, or other cruel, inhuman, or degrading treatment. Such a transfer requires the deportee's written consent and the requesting party's agreement to cover all related costs, and must be completed within 30 days, with the Minister able to grant up to two 30-day extensions.

"This regulation does not change who can be deported; it changes how quickly and consistently agencies coordinate once a case arises," said Rex Baay, Senior Immigration Consultant and Operations Manager at Siam Legal International. "Foreign residents and business owners in Thailand should treat this as a reminder to confirm that their visa category matches their actual activities, that work permits reflect their real role, and that corporate structures remain compliant with Thai law."

Siam Legal International has published a detailed breakdown of the regulation, including the two legal tracks and the new 15-day notification requirement, in Siam Legal's deportation regulation explainer. Foreign nationals and business owners with questions about how the updated process may apply to their visa, work permit, or corporate structure are encouraged to review the firm's published materials as the new framework takes effect nationwide.

Siam Legal International has spent more than 22 years guiding foreign nationals through Thailand's legal system, with teams based in Bangkok, Chiang Mai, Phuket, and Pattaya covering immigration, property, corporate compliance, family, and litigation matters.

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American-managed Thailand law firm with 22+ years? experience. Experts in corporate setup, BOI, FBL, family & divorce, property, litigation, immigration, notary, wills, contracts & due diligence across Bangkok, Phuket, Pattaya & more.

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