

# OVERSTAYING IN THAILAND!

For anyone who is not a citizen or permanent resident of this country there is an ongoing need to make sure your visa status is up-to-date.

Overstaying is technically breaking the law and while there is little problem with it if you 'surrender' yourself to Immigration at the airport, it can be a very different story if you are stopped by the police beforehand for whatever reason and are found to have overstayed - no matter for how long.

This may well lead to you being detained in one of the Immigration Detention Centres for a few days while your case is processed.

Needless to say, this is an experience you can well do without.

The fine for overstaying is levied at 500 Baht per day up to a maximum of 20,000 Baht. Foreign children are subject to fines for overstaying in Thailand only when over the age of seven (We heard the age is 14 as we can't see how an 8-year-old would understand the implications. - Ed.)

However, it is important to remember that if your

visa has expired even for just one day, and you do not surrender but are apprehended by immigration officials or the police, you



will automatically be taken to court. If your court hearing is held on a Friday and you

## Deportation of foreigners is governed by the Immigration Act B.E.2522 (A.D.1979), Section 54:

Any foreigners who enters or comes to stay in the Kingdom without permission or when such permission expires or is revoked, the competent official will deport such foreigners out of the kingdom;

The provisions of Sections 19 and 20 will be applied 'mutatis mutandis' if an investigation for deportation has to be conducted in reference to item (a) above; Where an order of deportation is made, while waiting for the alien to be deported the competent official may order that alien to remain at any prescribed place or he may order the alien to report to him (competent official) according to a prescribed date, time, and place with security (personal guarantee) or with security and bond (e.g., cash or land title deed). The competent official may also detain the alien at any given place as may be necessary. The expense of detention shall be charged to the alien's account; The provisions of Section 54 shall not apply to foreigners who entered and took up residence in the Kingdom before the enforcement of the Immigration Act. B.E. 2480 (A.D.1937).

pay your fine the same day, in accordance with the court order, it does not mean that your case has ended. The Immigration

Bureau still has to pursue your case by deporting you. Therefore, you will need to have a confirmed air ticket together with sufficient money for transportation to the airport. If you cannot meet those requirements, you will be detained in the Immigration Bureau jail until you are able to acquire a confirmed ticket and sufficient cash for the trip to the airport.

If you violate the rules of the Immigration Bureau, it is not easy to resolve the problems that will arise - especially during non-office hours. Do not hope for mercy or

an exception to be made in your case by immigration officials. They are part of a very bureaucratic system and do not care about why you overstayed your visa (even being laid up in hospital doesn't count as an excuse). They will neither feel compassion nor bend the rules and regulations for you.

We are aware that you can become complacent if you have stayed here for

awhile, but it pays in the longrun to check your passport and understand the validity dates on any visa stamp.

## Royal Thai Consulate-General (WA)

The office for the Royal Thai Consulate General is located at:

Level 4 'The Victoria'  
14 Victoria Avenue (cnr Hay St)  
PERTH WA 6000  
Telephone 9221 - 3237, Fax 9221 - 1635.  
Email: thaiconsulatewa@jamlaw.net.au

The Honorary Consul-General is Brigadier W.D. Jamieson and the Honorary Consul is Mr. W.J.D. Jamieson.

The Office hours are 9:00am to 12:00noon Tuesdays and Thursdays and the telephone is answered during these hours. The office may be contacted by fax at any time and urgent faxes will be answered without delay.

In the case of an emergency the Consul-General may be telephoned on +61-8 - 9386-8092.

## Australian Embassy - Bangkok

Embassy 02 344 6300  
(including Consular and Passports)  
Fax: 02 344 6301

DIMIA 02 344 6400  
(All enquiries regarding visas and migration)

Austrade 02 344 6333  
Fax : (662) 66 2 344-6306

Australian Education Centre 02 344 6488  
The Visa section has moved to Thai CC Tower.

Australian Visa Application Centre  
Level 34, Units 2 & 3  
Thai CC Tower  
889 South Sathorn Road  
Bangkok 10120  
Telephone 026723476-79