

Buying Property in Samui Thailand

The most common question with regards to property is always can my wife own property in her name. Well, first off it would be best to speak to a lawyer in Samui for advice on a prenup agreement before you proceed to purchase property . Lets look at this further.

Yes, there was a law prohibiting Thai women married to foreigners from owning land, but that law was revoked in 1999; now any Thai spouse can own land.

If you are already married to a Thai national, and you wish to buy land in the name of your Thai spouse, there is one small detail you should be aware of. Since assets acquired while married are considered the community property of the couple, and since foreigners are not allowed to own land, then technically speaking, the married couple cannot own land in Thailand because it would be partly foreign owned.

However, if you sign a document stating that the money to pay for the land came from your Thai spouse exclusively, and you make no claim on the land, then the Thai spouse can legally own the land. However, this does mean that, in the event of a divorce, you will have no claim to the value of the land when determining community assets.