



Thailand Modernises Public Will Procedures under Ministerial Regulation

Thailand has introduced a significant procedural reform to its inheritance framework through the Ministerial Regulation on Making Wills and Declarations of Intent Regarding Inheritance. This marks the first major revision of public will procedures in over 60 years, replacing the 1960 regulation. While the reform does not amend the substantive inheritance principles under the Civil and Commercial Code—such as statutory heirship rights—it modernises administrative processes, enhances evidentiary safeguards, and standardises procedures across district offices, thereby improving legal certainty for both Thai nationals and foreign residents.

Under Thai law, a Public Will remains one of the recognised forms of testamentary disposition, executed before a district in the presence of at least two witnesses. The updated regulation strengthens this process by introducing standardised forms, clearer registration procedures, and expanded authority for officials to verify the testator's identity, legal capacity, and intent. In particular, officials may now request additional documentation where concerns arise regarding coercion, mental capacity, or the authenticity of supporting evidence. The regulation also clarifies procedures for related declarations, including disinheritance, revocation of disinheritance, and renunciation of inheritance, thereby consolidating administrative practice.

From a practical standpoint, the regulation imposes more structured compliance requirements, particularly relevant to expatriates with assets in Thailand. Testators must provide comprehensive documentation, including valid identification, civil status records, and details of assets, beneficiaries, and executors. Witness qualifications are also more clearly defined, requiring individuals to be of legal age, competent in Thai, and free from conflicts of interest. As all proceedings are conducted in Thai, non-Thai speakers are effectively required to engage interpreters or legal advisors to ensure accuracy and avoid disputes. These procedural enhancements aim to reduce ambiguity and strengthen the evidentiary value of registered wills.

The reform represents a broader policy effort to improve administrative efficiency and reduce probate-related disputes, particularly in cross-border estate scenarios. For foreign nationals, the absence of a Thai-compliant will has historically resulted in delays and increased legal costs in estate administration. By enhancing clarity, consistency, and enforceability, the new regulation facilitates more efficient succession planning and aligns Thailand's inheritance procedures with international expectations. Overall, the reform strengthens the integrity of Thailand's legal infrastructure, supporting its position as an increasingly attractive jurisdiction for foreign investment, residency, and long-term asset holding.