Siam Legal Chiang Mai Provides Guidance on Property and Inheritance Rights Under Thailand's New Marriage Equality Framework

March 09, 2026

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Siam Legal Chiang Mai has released comprehensive legal guidance for same-sex couples navigating property ownership and inheritance rights following the implementation of Thailand's Marriage Equality Act in January 23, 2025. The firm addresses critical legal considerations that have emerged as couples transition from informal arrangements to legally recognized marriages under Thai law.

The Marriage Equality Act fundamentally changes how same-sex couples can structure their assets and plan their estates in Thailand. Previously, many couples relied on complex legal workarounds, including nominee structures and contractual agreements, to protect their shared interests. The new legal framework now provides same-sex married couples with the same inheritance rights, property ownership protections, and estate planning options as heterosexual couples under Thai family law.

For the expatriate community in Chiang Mai and throughout Northern Thailand, these changes carry

particular significance. Mixed-nationality couples face unique challenges when structuring property ownership and inheritance plans, as foreign ownership restrictions on land continue to apply regardless of marital status. The Chiangmai lawyer team at Siam Legal emphasizes that while marriage equality provides new rights, careful legal structuring remains essential for protecting assets and ensuring smooth succession planning.

"The Marriage Equality Act represents a profound shift in how Thai law recognizes and protects same-sex relationships, but couples need to understand that proper documentation and legal structuring remain crucial," said Apichart Mattayanuwat, Senior Legal Advisor at Siam Legal Chiang Mai. "Foreign spouses can now legally inherit their Thai partner's assets through recognized marital status, but this requires proper estate planning, including wills and appropriate property structuring that complies with Thailand's foreign ownership regulations."

The firm notes that many same-sex couples who previously established informal arrangements now need to review and potentially restructure their assets to take full advantage of the legal protections available under the new framework. This includes revisiting existing wills, reviewing property ownership structures, and understanding the tax implications of their newly recognized marital status.

Key considerations for same-sex couples include understanding how joint property ownership functions under Thai law, navigating the complexities of cross-border inheritance when one spouse is a foreign national, and ensuring that estate planning documents properly reflect their relationship status. The firm also highlights the importance of understanding how the new law affects existing nominee arrangements and contractual agreements that couples may have previously established.

Chiang Mai's substantial international and LGBTQ+ expatriate community has shown significant interest in understanding these legal changes. The city's growing population of foreign residents, many of whom have established long-term relationships with Thai partners, now have access to legal protections that were previously unavailable.

Siam Legal brings over 20 years of experience serving international clients throughout Thailand. The firm maintains offices in Bangkok, Phuket, Pattaya, and Chiang Mai, with the Northern Thailand office specifically focused on addressing the unique legal needs of the region's expatriate and business community. The firm provides comprehensive legal services across multiple practice areas, including immigration, property law, family law, and estate planning, with English-speaking legal professionals available to assist international clients in understanding and navigating Thai legal requirements.

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Siam Legal Chiang Mai

Siam Legal Chiang Mai offers corporate, family, litigation, property, and immigration services. Our English-speaking lawyers assist with company setup, visas, contracts, due diligence, land registration, and personal legal matters in Northern Thailand.

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