

AGREEMENT ON IMPORT LICENSING PROCEDURES

Notification under Article 5 of the Agreement¹

THAILAND

The following notification, dated 1 October 2012, is being circulated at the request of the delegation of Thailand.

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| <p>1. (a) Title / number / date of the law or regulation establishing / changing the import licensing procedure:</p> <p>Ministerial Regulation Prohibiting the Importation of the Bodies of Used Motor Vehicles and Frames of Used Motorcycles B.E.2555 (dated 27 June 2012) and its amendment B.E.2555 (dated 30 August 2012);</p> <p>Ministerial Regulation Prohibiting the Exportation and Importation of Arms and Military Hardware with respect to The Great Socialist People's Libyan Arab Jamahiriya B.E.2555 (dated 16 January 2012).</p> <p>(b) If the notified measure refers to a change in an already notified import licensing procedure, please indicate the document symbol of the notification to which change(s) has(ve) been introduced. (In this case please also indicate in Section 3, below, the nature of the changes (i.e. inclusion or exclusion of some goods and a list thereof; contact point for information and/or administrative body(ies) for submission of applications, etc.):</p> <p>G/LIC/N/2/THA/2</p> |
| <p>2. Information concerning the institution / change of import licensing procedure:</p> <p>(a) List of products subject to the licensing procedure (<i>Exact name of the products and/or whenever possible HS code and indication of the exact HS Nomenclature (i.e. 1996; 2002 or 2007). Abbreviations should be avoided. <u>In the case of a long list of products, please attach the list as an Annex in Microsoft Word or compatible software. Please do not use PDF, or photocopies.</u></i>)</p> <p>Consequently the coverage of current import licensing regime would be the following:</p> <p>1. <u>Import Licensing</u></p> <p>(1) 16 kinds of drugs, chemical and pharmaceutical products
(2) Clenbuterol compounds and its salts
(3) Albuterol or Salbutamol and its salts
(4) Caffeine and its salts
(5) Potassium Permanganate</p> |

- (6) Fish meal with protein content less than 60 per cent
- (7) Unfinished garments, part or components except collars, cuffs, waist, band pocket and cuffs for trouser
- (8) Worked monument or building stone
- (9) Used motor vehicles
- (10) Used motorcycles
- (11) Used six-wheeled buses having 30 seats or more
- (12) Used diesel engines displacement of 331-1,100 cc.
- (13) Gold
- (14) Coin sized and weighted similar to official coins
- (15) Antique idols and parts thereof and parts of ancient monuments
- (16) Machinery and parts thereof which can be used to violate copyrights of cassette tape, video tape, and compact disc
- (17) Intaglio printing machines and colour copier machines
- (18) Waste and scrap of plastics
- (19) Chainsaw and accessories

2. Import under Conditions for Import Administration

- (1) Fuel oil
- (2) Rough diamonds
- (3) Logs, wood and all wooden products
- (4) Yellow fin tuna and its product
- (5) Ceramic food containers and metal-coated food containers

3. Import Certification for Agricultural Products under Tariff Rate Quota (TRQs)

- (1) Milk and cream, not concentrated, nor containing added sugar or other sweetening matter (including flavoured milk)
 - (a) Unprocessed milk
 - (b) Ready-to-drink milk
- (2) Milk and cream, concentrated or containing added sugar or other sweetening matter, in powder, granules or other solid form, of a fat content, by weight, not exceeding 1.5 per cent
- (3) Potato, fresh or chilled (seed and others)
- (4) Onion, fresh, chilled, dried, whole, cut, sliced, broken or in powder, but not further prepared, mixed
- (5) Garlic, fresh or chilled, whether or not in powder
- (6) Coconut, fresh or dried whether or not chilled or pilled including desiccated
- (7) Dried longan
- (8) Coffee whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any portion
- (9) Tea, whether or not flavoured (green and black tea)
- (10) Pepper, dried, whether or not crushed or ground
- (11) Maize (corn)
- (12) Rice
- (13) Soya beans
- (14) Copra
- (15) Onion seeds
- (16) Soya-bean oil and its fractions, whether or not refined, but not chemically modified

- (17) Palm oil and its fractions, whether or not refined, but not chemically modified/ Palm kernel or babassu oil and fractions thereof
- (18) Coconut oil and its fraction, whether or not refined, but not chemically modified
- (19) Cane or beet sugar and chemically pure sucrose, in solid form
- (20) Instant coffee and other extract, essences and concentrated, of coffee and preparations with a basis of these extracts, essences or concentrated or with a basis of coffee
- (21) Soya bean cake
- (22) Tobacco
- (23) Raw silk

4. Import Prohibition

- (1) Electrical and mechanical operating games including Table for games, Slot Machine, Horse racing game machines or racecourse model or other similar article, Pachinko, Roulette, game machines operated by coins, banknote (paper currency), discs, cards or other similar articles, or other methods that requirement of machines are met, with or without skill of players will win coins, banknote (paper currency), coupons or other articles from machine, other than bowling alley equipment, parts or accessories chip, other parts or accessories of game machines
- (2) Goods by deceptive practice
- (3) Copyrights-infringing cassette tapes, audio, compact disc, video tapes, computer programs and books
- (4) Household refrigerator, combined refrigerator-freezer utilizing CFC in the production process
- (5) Used engines, parts and accessories of motorcycles of a cylinder capacity not exceeding 50 cc and wheels with diameters not over 10 inches
- (6) Retreaded or used pneumatic tyres of rubber and its waste and scrap
- (7) Logs and sawn wood which are made of teak trees, rubber trees or forbidden trees from the border of Tak and Kanchanaburi provinces
- (8) All type of arms, military vehicles, hardware and spare parts from or originated in Democratic People's Republic of Korea in conformance with the UN Resolution
- (9) All type of arms, military vehicles, hardware and spare parts from or originated in Islamic Republic of Iran in conformance with the UN Resolution
- (10) Rough diamonds from or originated in Republic of Cote d'Ivoire in conformance with the UN Resolution
- (11) Bodies of used motor vehicles including cabs and chassis thereof, and frames of used motorcycles excluding those of a cylinder capacity not exceeding 50 cc and forks and wheels with diameters not over 10 inches
- (12) All type of arms, military vehicles, hardware and spare parts from or originated in The Great Socialist People's Libyan Arab Jamahiriya in conformance with the UN Resolution

(b) Contact point for information on eligibility

Bureau of Trade Measures, Department of Foreign Trade, Ministry of Commerce
 44/100 Nonthaburi 1 Road, Amphoe Muang, Nonthaburi 11000,
 Tel. +66-(0)2-547-4733 fax. +66-(0)2-547-4736 email: ctdft@moc.go.th
 Contact officer: []

(c) Administrative body(ies) for submission of applications *(If more than one please include the same information for each body.)*

See above.

(d) Date and name of publication where licensing procedures are published

Date of publication:

Previously notified were Export and Import Act B.E. 2522 (9 May 1979) and its subsequent Ministerial Regulations and their amendments.

The recent Ministerial Regulations as notified in 1(a) above are of 27 June 2012, 30 August 2012, and 16 January 2012

Source of publication: website www.dft.go.th

(e) Indication of whether the licensing procedure is

automatic. If so please indicate: **(f) the administrative purpose:**

The purposes of utilizing automatic import licensing procedures are to:

- Protect public moral, human, animal or plant life or public health
- Protect national treasures of artistic, historic or archaeological value
- Conserve environment and exhaustible natural resources
- Protect intellectual properties

non-automatic. If so please indicate: **(g) the measure being implemented through the import licensing procedure:** In general, the application will be rejected for failure to meet the criteria under import controlled regulations. However, they will be given the right to appeal to the authorities concerned for reconsideration.

Currently, under the Export and Import Act B.E. 2522 (1979), 3 types of import licensing procedures which are automatic import licensing, non- automatic import licensing and import certification on agricultural products under tariff rate quota (TRQs) are being utilized.

(h) Expected duration of the licensing procedure if this can be estimated with some probability, and if not, reason why this information cannot be provided

Licensing procedure is on-going. However, the legislation leaves the designation of products to be licensed to administrative discretion under well-defined criteria. All import controlled measures must be approved by the Cabinet before imposing the regulations

3. Other relevant data or information: *(i.e. complete title and data concerning the legislation, inclusion or exclusion of certain products from the import licensing regime and list thereof; changes related to the administrative body(ies) for submission of applications, etc.)*

In accordance with Section 5 of the Export and Import Act B.E. 2522 (1979), the Ministry of Commerce has published the Ministerial Regulations on 27 June 2012 and on 30 August 2012 to introduce the import prohibition of bodies of used motor vehicles including cabs and chassis thereof, and frames of used motorcycles excluding those of a cylinder capacity not exceeding 50 cc and forks and wheels with diameters not over 10 inches, and has published the Ministerial Regulation on 16 January 2012 to introduce the import prohibition of all type of arms, military vehicles, hardware and spare parts from or originated in The Great Socialist People's Libyan Arab Jamahiriya in conformance with the UN Resolution.

¹ "Members which institute licensing procedures or changes in these procedures shall notify the Committee of such within 60 days of publication [...]" (Art. 5.1).