



12 April 2022

(22-3021)

Page: 1/18

Committee on Import Licensing

Original: English

## REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES<sup>1</sup>

### NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2022)<sup>2</sup>

#### THAILAND

The following communication, dated 5 April 2022, is being circulated at the request of the delegation of Thailand.

<b>1</b>	<b>MINISTRY OF COMMERCE.....</b>	<b>1</b>
1.1	Department of Foreign Trade.....	1
1.1.1	Goods subject to Automatic Import Licensing.....	1
1.1.2	Goods under Non-Automatic Import Licensing.....	5
1.1.3	Agricultural Products under TRQs .....	8
1.1.4	Import Prohibited Goods .....	11
<b>ANNEX</b>	<b>.....</b>	<b>16</b>

## 1 MINISTRY OF COMMERCE

### 1.1 Department of Foreign Trade

#### 1.1.1 Goods subject to Automatic Import Licensing

##### Outline of System

1. According to Section 5 of the Export and Import Act B.E.2522 (1979), the Minister of Commerce with the approval of the Cabinet has the authority to publish notifications in the Government Gazette to ban, to require for the permission, to prescribe any categories/kinds/qualities/standards/quantities/brands/origins/special fees, etc., of any import and export goods, in any cases where it is necessary, for economic stability, public health, national security, peace and order, good morals or any other interests of the state.

##### Purposes and coverage of licensing

2. Currently, under the Export and Import Act B.E.2522 (1979), automatic import licensing on (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) Intaglio printing machines (6) Volatile alkyl nitrite substance (7) Used ambulances and fire trucks (8) Metal Coin Blank (9) Fuel oil (10) Rough diamonds (11) Logs, wood and all wooden products (12) Ceramic food containers

<sup>1</sup> See document G/LIC/3, Annex, for the Questionnaire.

<sup>2</sup> This notification also relates to 2021.

and metal-coated food containers (13) Cassava and cassava products (14) Swine's offal (15) Shallots (16) Fresh oranges (17) Gas water warmer and water heater (18) Potassium permanganate (19) Fish meal with protein content more than 60% (20) Maize (corn) for animal feed (21) Soya-bean meal and (22) Salt.

The product number 1–8 is import licensing measures whereas number 9–22 is import under condition for import administration measures.

3. Thailand has no discriminatory policy regarding the country of origin of the imported commodities. Import of Rough diamonds permit under Kimberley Process Certification Scheme.

4. The licensing procedures are not intended to restrict the quantity or value of the imports. The purposes of utilizing import licensing procedures are necessary to:

- (a) 16 kinds of drugs, chemical and pharmaceutical products  
To protect public health, for national economic security, to control and check that the person who wishes to import drugs has adequate capability for doing such business
- (b) Clenbuterol compounds and its salts  
To protect public health and human life in pork consumption
- (c) Albuterol or salbutamol and its salts  
To protect public health and human life in pork consumption and to prevent negative effect on pork exports
- (d) Caffeine and its salts to control narcotic drug and  
To protect human health and national security
- (e) Intaglio printing machines and colour copier machines  
To prevent the making of counterfeit money
- (f) Volatile alkyl nitrite substance  
To protect public health, social and national security
- (g) Used ambulances and fire trucks  
To protect public safety and environmental conservation
- (h) Metal Coin Blank  
To prevent counterfeiting of coins and in accordance with the coins currently used
- (i) Fuel oil  
To sustain economic stability and security
- (j) Rough diamonds  
To comply with the UN Resolution 55/56 (2000) dated 1 December 2000
- (k) Logs, wood and all wooden products  
To conserve environment and exhaustible natural resources.  
To prevent illegal logging
- (l) Ceramic food containers and metal-coated food containers  
To protect public health
- (m) Cassava and cassava products  
To protect plant life and health
- (n) Swine's offal  
To protect public health
- (o) Shallots  
To protect public health
- (p) Fresh oranges  
To protect public health
- (q) Gas water warmer and water heater  
To protect human life and public safety
- (r) Potassium permanganate  
To protect national security and public morals
- (s) Fish meal with protein content more than 60%  
To stabilize price for raw material used for animal food
- (t) Maize (corn) for animal feed  
To stabilize price for raw material used for animal food
- (u) Soya-bean meal  
To stabilize price for raw material used for animal food
- (v) Salt  
To collect trade statistics or market surveillance

---

5. The licensing system is a statutory requirement of the Export and Import Act B.E.2522 (1979)

- (a) 16 kinds of drugs, chemical and pharmaceutical products  
Notification of the Ministry of Commerce on Importation of Medicaments, Pharmaceutical Products and their Salt, Semi-finished Pharmaceutical Products into the Kingdom of Thailand B.E. 2545 (2002) (dated 22 May 2002)
- (b) Clenbuterol compounds and its salts  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 107) B.E. 2538 (1995) (dated 17 March 1995)
- (c) Albuterol or salbutamol and its salts  
Notification of the Ministry of Commerce on Importation of Albuterol or Salbutamol B.E. 2545 (2002) (dated 29 March 2002)
- (d) Caffeine and its salts  
Notification of the Ministry of Commerce on Exportation and Importation of Caffeine B.E. 2545 (2002) (dated 8 November 2002)
- (e) Intaglio printing machines  
Notification of the Ministry of Commerce Regarding Intaglio Printing Machinery that Require Import permit for Importation into the Kingdom of Thailand B.E. 2564 (2021) (dated 2 August 2021)
- (f) Volatile alkyl nitrite substance  
Notification of the Ministry of Commerce Regarding Volatile Alkyl Nitrite Substance to Require Import Permit for Importation into the Kingdom of Thailand B.E. 2557 (2014) (dated 28 October 2014)
- (g) Used ambulances and fire trucks  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand B.E. 2562 (2019) (dated 12 June 2019)
- (h) Metal Coin Blank  
Notification of Ministry of Commerce on Import of Metal Coin Blank into the Kingdom of Thailand B.E. 2563 (2020) (dated 10 December 2020)
- (i) Fuel oil  
Notification of the Ministry of Commerce Regarding Fuel Oil as the Goods subject to Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2552 (2009) (dated 22 June 2009)
- (j) Rough diamonds  
Notification of the Ministry of Commerce Regarding the Exportation and Importation of Rough Diamonds into the Kingdom of Thailand B.E.2546 (2003) (dated 16 May 2003)
- (k) Logs, wood and all wooden products  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 92) B.E.2535 (1992) (dated 30 November 1992)  
Notification of the Ministry of Commerce Regarding the Importation of Woods and Wood Conversions including Artifact Made of Wood, Equipment, or Other Things Made from Woods into the Kingdom Along the Border of Tak Province and Karnchanaburi Province B.E. 2548 (2005) (dated 29 November 2005)
- (l) Ceramic food containers and metal-coated food containers  
Notification of the Ministry of Commerce Establishing Ceramic Ware and Enamel ware as Prohibited Goods or Goods which require Health Certificate for Import into the Kingdom of Thailand B.E. 2551 (2008) (dated 8 August 2008)
- (m) Cassava and cassava products  
Notification of the Ministry of Commerce Regarding Cassava and Cassava Products as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2560 (2017) (dated 20 December 2017)  
Notification of the Ministry of Commerce Regarding Cassava and Cassava Products as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand (No.2) B.E.2562 (2019) (dated 21 March 2019)
- (n) Swine's offal  
Notification of the Ministry of Commerce Regarding Swine's Offal as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2555 (2012) (dated 27 December 2012)

- (o) Shallots  
Notification of the Ministry of Commerce Regarding Shallots as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2555 (2012) (dated 27 December 2012)
- (p) Fresh oranges  
Notification of the Ministry of Commerce Regarding Fresh Oranges as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2555 (2012) (dated 27 December 2012)
- (q) Gas water warmer and water heater  
Notification of the Ministry of Commerce Regarding Instantaneous Gas Water Heaters as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2557 (2014) (dated 18 November 2014)
- (r) Potassium permanganate  
Notification of the Ministry of Commerce on Exportation and Importation of Potassium Permanganate B.E. 2545 (2002) (dated 28 August 2002)
- (s) Fish meal with protein content more than 60%  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 74) B.E. 2533 (1990) (dated 7 March 1990)
- (t) Maize (corn) for animal feed  
To stabilize price for raw material used for animal food
- (u) Soya-bean meal  
To stabilize price for raw material used for animal food
- (v) Salt  
Notification of the Ministry of Commerce Regarding Salts as the Goods Requiring Certificate for and Compliance with the Administrative Measures on the Importation into the Kingdom of Thailand B.E. 2564 (2021) (dated 28 June 2021)

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.

### Procedures

6. Not applicable.

- 7.(a) There is no certain period for advanced application of an import licence. In general, an applicant should apply for the licence 1-2 weeks before the departure of the shipment. The application will not be granted if the product has already arrived at the customs border.
- (b) An automatic import licence cannot be granted immediately upon request. Prior review of the application is required. The licence could be granted in 1 day if all required documents are approved.
- (c) The application may be submitted on every working day.
- (d) Import licences are issued by the Department of Foreign Trade and/or other authorities concerned.

8. In general, there is no circumstance other than failure to meet the ordinary criteria under import-controlled regulations. The reason for any refusal will be given to the applicant. However, they will be given the right to appeal to the authorities concerned for reconsideration. The Ministry of Commerce and/or the Director-General of the Department of Foreign Trade and/or authorities appointed by the Ministry of Commerce are the final decision-makers.

### Eligibility of importers to apply for licence

- 9.(a) Under the automatic import licensing system, any person, firm or juristic person are eligible to apply for a licence as long as they meet the specific requirements.
- (b) Under the automatic import licensing system, any person, firm or juristic person are eligible to apply for a licence as long as they meet the specific requirements.

## **Documentation and other requirements for application for licence**

10. Documentation and other requirements for application of import licence are such as:

- Name and address of the importer;
- Business of the importer;
- Name and address of exporter/shipper;
- Country of origin;
- Means of transport;
- Description and amount of goods to be imported;
- Invoice/Pro-forma invoice;
- Sales contract;
- Certificate of Import Permit;
- Approved document from authorities concerned;
- Other necessary documents;
- Bank guarantee (in case of re-exportation).

11. At the time of actual importation, depend on types of import regulations, the import licence or registration number or notification number or relevant certificate must be presented to the customs at the port where the entry takes place.

12. There is no licensing fee or administrative charge for automatic import license issued by Department of Foreign Trade. However, an amount of 30 baht is charged for each application form if it issued manually but there is no fee for application form if it issued electronically.

13. Not applicable.

## **Conditions of licensing**

14. The licence issued by Department of Foreign Trade is valid for 90 days and could be extended only twice (the validity period of each time is 90 days).

15. There is no penalty for non-utilization of a licence.

16. A licence is not transferable between importers.

17. Not applicable.

## **Other procedural requirements**

18. If the products also regulated by another government agencies, the importer must follow their measures as well.

19. Not applicable.

### **1.1.2 Goods under Non-Automatic Import Licensing**

#### **Outline of System**

1. According to Section 5 of the Export and Import Act B.E.2522 (1979), the Minister of Commerce with the approval of the Cabinet has the authority to publish notifications in the Government Gazette to ban, to require for the permission, to prescribe any categories/kinds/qualities/standards/quantities/brands/origins/special fees, etc., of any import and export goods, in any cases where it is necessary, for economic stability, public health, national security, peace and order, good morals or any other interests of the state.

#### **Purposes and coverage of licensing**

2. Currently, under the Export and Import Act B.E.2522 (1979) non-automatic import licensing is being utilized for (1) Fish meal with protein content less than 60% (2) Building stone (Marble, travertine, ecaussine and other calcareous monumental or building stone, Marble, travertine and alabaster, granite; other stone) (3) Used diesel engines displacement of 331-1,100 cc. (4) Antique

idols and parts thereof, parts of ancient monuments, ancient coins, inscriptions and ancient manuscripts and prehistoric implements (5) Waste and scrap of plastics (6) Re-treaded or used pneumatic tyres of rubber for buses or trucks (7) Used tractors for semi-trailers and (8) Used special purpose motor vehicles and (9) Gold.

3. Thailand has no discriminatory policy regarding the country of origin of the imported commodities.

4. The licensing procedures are not intended to restrict the quantity or value of the imports. The purposes of utilizing import licensing procedures are necessary to:

- (a) Fish meal with protein content less than 60%  
To stabilize price for raw material used for animal food
- (b) Building stone (Marble, travertine, ecaussine and other calcareous monumental or building stone, Marble, travertine and alabaster, granite; other stone)  
To administer the importation and utilization of marble and building stone
- (c) Used diesel engines displacement of 331-1,100cc.  
To protect human life and public health and safety
- (d) Antique idols and parts thereof, parts of ancient monuments, ancient coins, inscriptions and ancient manuscripts and prehistoric implements  
To prevent smuggling of historical objects or antiques
- (e) Waste and scrap of plastics  
To protect environment and public health
- (f) Re-treaded or used pneumatic tyres of rubber for buses or trucks  
To protect human life, public health and the environment
- (g) Used tractors for semi-trailers  
To protect public safety and environmental conservation
- (h) Used special purpose motor vehicles  
To protect public safety and environmental conservation
- (i) Gold  
To protect economic security and financial stability

5. The licensing system is a statutory requirement of the Export and Import Act B.E.2522 (1979)

- (a) Fish meal with protein content less than 60%  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 72) B.E. 2533 (1990) (dated 7 March 1990)
- (b) Building stone (Marble, travertine, ecaussine and other calcareous monumental or building stone, Marble, travertine and alabaster, granite; other stone)  
Notification of the Ministry of Commerce on License Requirement for Import of Stone into the Kingdom B.E. 2551 (2008) (dated 16 June 2008)
- (c) Used diesel engines displacement of 331-1,100cc  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 130) B.E. 2541 (1998) (dated 9 September 1998)
- (d) Antique idols and parts thereof, parts of ancient monuments, ancient coins, inscriptions and ancient manuscripts and prehistoric implements  
Notification of the Ministry of Commerce Regarding the Importation of Antiques Originating in Foreign Countries into the Kingdom of Thailand B.E. 2547 (2004) (dated 11 November 2004)  
Order No. 264/2554
- (e) Waste and scrap of plastics  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 112) B.E. 2539 (1996) (dated 7 February 1996)
- (f) Re-treaded or used pneumatic tyres of rubber for buses or trucks  
Notification of the Ministry of Commerce Regarding the Determination of Used Tires as Prohibited Goods or Subject to Licensing Requirements and Compliance with Measures on Regulation of Import into the Kingdom of Thailand B.E. 2556 (2013) (dated 16 August 2013)
- (g) Used tractors for semi-trailers  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand B.E. 2562 (2019) (dated 12 June 2019)

- (h) Used special purpose motor vehicles  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand B.E. 2562 (2019) (dated 12 June 2019)
- (i) Gold  
Notification of the Ministry of Economic Affairs Regarding the Importation of Goods into the Kingdom of Thailand (No. 28) B.E. 2505 (dated 28 March 1962)

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.

### **Procedures**

6. Not applicable.

- 7.(a) There is no certain period for advanced application of an import licence. In general, an applicant should apply for the licence 1-2 weeks before the departure of the shipment. The application will not be granted if the product has already arrived at the customs border.
- (b) A non-automatic import licence cannot be granted immediately upon request. Prior review of the application is required.
- (c) The application may be submitted on every working day.
- (d) Import licences are issued by the Department of Foreign Trade and/or other authorities concerned

8. In general, there is no circumstance other than failure to meet the ordinary criteria under import-controlled regulations. The reason for any refusal will be given to the applicant. However, they will be given the right to appeal to the authorities concerned for reconsideration. The Ministry of Commerce and/or the Director-General of the Department of Foreign Trade and/or authorities appointed by the Ministry of Commerce are the final decision-makers.

### **Eligibility of importers to apply for licence**

- 9.(a) Under the non - automatic import licensing system, any person, firm or juristic person are eligible to apply for a licence as long as they meet the specific requirements.
- (b) Under the non - automatic import licensing system, any person, firm or juristic person are eligible to apply for a licence as long as they meet the specific requirements.

### **Documentation and other requirements for application for licence**

10. Documentation and other requirements for application of import licence are such as:

- Name and address of the importer;
- Business of the importer;
- Name and address of exporter/shipper;
- Country of origin;
- Means of transport;
- Description and amount of goods to be imported;
- Invoice/Pro-forma invoice;
- Sales contract;
- Certificate of Import Permit;
- Approved document from authorities concerned;
- Other necessary documents.

11. At the time of actual importation, depend on types of import regulations, the import licence or registration number or notification number or relevant certificate must be presented to the customs at the port where the entry takes place.

12. There is no licensing fee or administrative charge for non - automatic import license issued by Department of Foreign Trade.

13. The deposit or advance payment in form of a cashier cheque, associated with the issue of licence exists only in cases of import of used pneumatic tyres of rubber for buses or trucks. It will be seized if there is no re-exportation. The rate of deposit will be four times the import value of those tyres and, at the same time, the period of validity would depend on the period of time in which the-tyres is to be re-exported. The purpose of the deposit requirement is to ensure that the imported tyres will be re-exported.

### **Conditions of licensing**

14. The licence issued by Department of Foreign Trade is valid for 90 days and could be extended only twice (the validity period of each time is 90 days).

15. There is no penalty for non-utilization of a licence.

16. A licence is not transferable between importers.

17. Not applicable.

### **Other procedural requirements**

18. If the products also regulated by another government agencies, the importer must follow their measures as well.

19. Not applicable.

### **1.1.3 Agricultural Products under TRQs**

#### **Outline of System**

1. According to Section 5 of the Export and Import Act B.E.2522 (1979), the Minister of Commerce with the approval of the Cabinet has the authority to publish notifications in the Government Gazette to ban, to require for the permission, to prescribe any categories/kinds/qualities/standards/quantities/brands/origins/special fees, to require a certificate of origin/certificate of origin quality/other certificates pursuant to international conventions or trade practices, etc., of any import and export goods, in any cases where it is necessary, for economic stability, public health, national security, peace and order, good morals or any other interests of the state. At present, 22 items of agricultural products subject to tariff rate quota (TRQs) must apply for import certificate regarding with the above-mentioned Act.

#### **Purposes and coverage of licensing**

2. Currently, under the Export and Import Act B.E.2522 (1979), import certification are required in case of imports of agricultural products under tariff rate quota (TRQs) including (1) Milk and cream, not concentrated nor containing added sugar or other sweetening matters (including flavoured milk) (2) Milk and cream, concentrated or containing added sugar or other sweetening matter, in powder, granules or other solid forms, of a fat content, by weight, not exceeding 1.5% (3) Potatoes, fresh or chilled (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 peeled including desiccated (7) Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing any portion of coffee (8) Tea (9) Pepper, dried, whether or not crushed or ground (10) Maize for feedstuff Maize (corn) for animal feed (11) Rice (including paddy, broken) (12) Soya beans, whether or not broken (13) Copra (14) Onion seeds (15) Soya bean oil and its fractions, whether or not refined, but not chemically modified (16) Palm oil and its fractions, whether or not refined, but not chemically modified (17) Coconut oil and its fractions, whether or not refined, but not chemically modified (18) Cane or beet sugar and chemically pure sucrose in solid form (19) Instant coffee and other extracts, essences and concentrated, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee (20) Soya bean cake Oil cake and other solid residue resulting



from extraction of soya-bean oil, whether or not ground or in the form of pellets (21) Longans dried (22) Raw silk.

3. Thailand has no discriminatory policy regarding the country of origin of the imported commodities. The import certificate system is applied to goods originating in and coming from all countries. The sources of supply are left entirely to importers.

4. Products subject to tariff rate quota (TRQs) committed under the WTO Agriculture Agreement in order to protect local farmers and domestic industries to secure local farmers' income and to sustain domestic price.

5. The import certificate system is a statutory requirement of the Export and Import Act B.E.2522 (1979) relating to Notifications of the Ministry of Commerce as follows:

- Notification of the Ministry of Commerce (No.111) B.E.2539 on the importation of goods dated 26 January.
- Notification of the Ministry of Commerce (No.115) B.E.2539 on the importation of goods dated 2 October.
- Notification of the Ministry of Commerce (No.117) B.E.2539 on the importation of goods dated 12 November.
- Notification of the Ministry of Commerce (No.143) B.E.2546 on the importation of goods dated 23 April.

The legislation leaves the designation of products to be certified to administrative discretion under well-defined criteria. All import controlled measures must be approved by the Cabinet before imposing the regulations.

## Procedures

- 6.I. The information related to quota allocation is published on the Royal Thai Government Gazette's website; <http://www.ratchakitcha.soc.go.th> as well as the website of the Department of Foreign Trade, Ministry of Commerce; <http://www.dft.go.th/th-th>. This information includes the total amount of quota, application procedures and requirement. There is no maximum quota for each importer except rice and no quota allocation on the country basis. In addition, importers must comply with all applicable requirements, no exception or derogation provided.
- II. The size of the quotas is determined on yearly basis, whereas the import certificate is issued for each imported shipment which is valid for 30 days. Importers are required to apply for certificate for every shipment imported. In the case of rice quota, the size of the quotas is determined on a yearly basis but the certificates are issued for imports on the basis of 3 period per year, which are; 1 January – 30 April, 1 May – 31 August and 1 September – 3 December. In addition the import certificate is valid for 15 days.
- III. Import certificate will be allotted to any juristic person. In the case of rice will be allotted to juristic person that registered as importer with the Department of Internal Trade, Ministry of Commerce. The importers have to apply for the certificate before an arrival of its shipment and to ensure the utilization of certificates, importers must report their importation of the product to the Department of Foreign Trade within 30 days from the date of import. However, the certificate will not be issued for their next shipment, unless until the report is completed. Additionally, there is a mechanism for the return and re-allocation of unused allocated quota in a specific period. For some products, the unused quotas will not be added to the succeeding period such as rice, potatoes and union. The name list of importers who obtained the import certificate is normally published on the Royal Thai Government Gazette's website; <http://www.ratchakitcha.soc.go.th> as well as the website of the Department of Foreign Trade, Ministry of Commerce; <http://www.dft.go.th/th-th>. Moreover, governments or export promotion bodies of exporting countries may make a formal written request for the name of importers who obtained the certificate particularly, on first come, first serve basis such as rice.
- IV. There is no certain period for advanced application of an import certificate. In general, an applicant should apply for the certificate in 1-2 weeks prior to the date of departure of shipment.

- 
- V. The import certificate could be granted in 1 day if all required documents are approved.
- VI. The certificate is valid for 30 days from the date of issue, in case of rice is valid for 15 days but not exceed the last date of importation in each period. One import certificate can be used for a single shipment only.
- VII. Import certificate is issued by the Department of Foreign Trade, except sugar is issued by Office of Cane and Sugar Board.
- VIII. The tariff quotas are allocated for each product on different basis including first come, first served, prorated. In the case of rice, the licenses are allocated on the "first come, first serve" basis and the maximum amount for each applicant is 300 tonnes.
- IX. Not applicable.
- X. Not applicable.
- XI. Not applicable.
- 7.(a)-(d) Not applicable.

8. In general, there is no circumstance other than failure to meet the ordinary criteria under import-controlled regulations. The reason for any refusal will be given to the applicant. However, they will be given the right to appeal to the authorities concerned for reconsideration. The Ministry of Commerce and/or the Director-General of the Department of Foreign Trade or authorities appointed by the Minister of Commerce are the final decision-makers.

#### **Eligibility of importers to apply for licence**

- 9.(a) Under the automatic import certificate system, any person, firm or juristic person duly registered are eligible to apply for the certificate. Furthermore, state enterprises may apply for the certificate in some cases.

#### **Documentation and other requirements for application for licence**

10. Documentation and other requirements for application of import certificate are:
- Invoice;
  - Bill of Lading: B/L;
  - Certificate of Origin: C/O.
11. At the time of actual importation, the import certificate must be presented to the customs at the port where the entry takes place.
12. There is no charge for an import certificate application.
13. The deposit or advance payment in form of a bank guarantee, associated with the issue of licence exists only in cases of temporary import of used vehicles.
- Not applicable

#### **Conditions of licensing**

14. The import certificate is valid for 30 days and non-utilization of an import certificate has to cancel.
15. There is no penalty for non-utilization of an import certificate. The certificate will not be issued for their next shipment, unless until the report is completed.
16. An import certificate is not transferable between importers.
17. Not applicable.

## Other procedural requirements

18. Apart from Applying for import certificate, there are no other administrative procedures required prior to importation.

19. Not applicable.

### 1.1.4 Import Prohibited Goods

#### Outline of System

1. According to Section 5 of the Export and Import Act B.E.2522 (1979), the Minister of Commerce with the approval of the Cabinet has the authority to publish notifications in the Government Gazette to ban, to require for the permission, to prescribe any categories/kinds/qualities/standards/quantities/brands/origins/special fees, etc., of any import and export goods, in any cases where it is necessary, for economic stability, public health, national security, peace and order, good morals or any other interests of the state.

#### Purposes and coverage of licensing

##### 2. Import prohibited goods:

- (a) Electrical and mechanical operating games
- (b) Goods by deceptive practice.
- (c) Copyrights-infringing cassette tapes, audio, compact disc, video tapes, computer programs and books.
- (d) Re-treaded or used pneumatic tyres of rubber (for cars, motorcycles, bicycles)
- (e) Waste, parings and scrap of rubber of cars, buses/trucks, motorcycles and bicycles
- (f) Bodies of used motor vehicles including cabs and chassis thereof, and frames of used motorcycles excluding those of a cylinder capacity not exceeding 50cc and forks and wheels with diameters not over 10 inches
- (g) Used tractors excluding used road tractors for semi-trailers and used tractors for agricultural use
- (h) Used motor vehicles except used ambulances
- (i) Used antiques motor vehicles of an age over one hundred years
- (j) Ceramic food containers and metal-coated food containers
- (k) Used motorcycles

##### Absolutely prohibited goods:

- (a) Household refrigerator, combined refrigerator-freezer utilizing CFC in the production process.
- (b) Used engines, parts and accessories of motorcycles of a cylinder capacity not exceeding 50cc and wheels with diameters not over 10 inches.
- (c) Logs and sawn wood which are made of teak trees, rubber trees or forbidden trees from the border of Tak and Kanchanaburi provinces.
- (d) Baraku/Shisha, electronic cigarette and Baraku including Heat-not-burn tobacco product
- (e) HCFC - 22 based air conditioning equipment with cooling capacity under 50,000 BTU/hr
- (f) Municipal solid waste
- (g) E - Waste

3. Thailand has no discriminatory policy regarding the country of origin of the imported commodities.

4. The licensing system is not intended to restrict the quantity or value of imports. The purposes of utilizing import licensing procedures are necessary to:

##### Import prohibited goods:

- (a) Electrical and mechanical operating games  
To protect public morals and national security
- (b) Goods by deceptive practice.  
To protect intellectual property and national financial security

- (c) Copyrights-infringing cassette tapes, audio, compact disc, video tapes, computer programs and books.  
To protect intellectual property and national financial security
- (d) Re-treaded or used pneumatic tyres of rubber (for cars, motorcycles, bicycles)  
To protect human life, public health and the environment
- (e) Waste, parings and scrap of rubber of cars, buses/trucks, motorcycles and bicycles  
To protect human life, public health and the environment
- (f) 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  
To protect human health and national security
- (g) Used tractors excluding used road tractors for semi-trailers and used tractors for agricultural use  
To protect public safety and environmental conservation
- (h) Used motor vehicles except used ambulances  
To protect public safety and environmental conservation
- (i) Used antiques motor vehicles of an age over one hundred years  
To protect public safety and environmental conservation
- (j) Ceramic food containers and metal-coated food containers  
To protect public health
- (k) Used motorcycles  
To Protect human, animal or plant life and health; protect environment

Absolutely prohibited goods:

- (a) Household refrigerator, combined refrigerator-freezer utilizing CFC in the production process.  
To protect public health and environment
- (b) Used engines, parts and accessories of motorcycles of a cylinder capacity not exceeding 50 cc and wheels with diameters not over 10 inches.  
To protect human life or public health and safety
- (c) Logs and sawn wood which are made of teak trees, rubber trees or forbidden trees from the border of Tak and Kanchanaburi provinces.  
To prevent the illegal logging and conserve natural resources
- (d) Baraku/Shisha, electronic cigarette and Baraku including Heat-not-burn tobacco product  
To protect public health, public morals and national security
- (e) HCFC - 22 based air conditioning equipment with cooling capacity under 50,000 BTU/hr  
To protect the environment, public health, human life and to comply with Montreal Protocol
- (f) Municipal solid waste  
To protect the environment, public health and human life
- (g) E – Waste  
To protect the environment, public health and human life

5. The licensing system is a statutory requirement of the Export and Import Act B.E.2522 (1979),  
Import prohibited goods:

- (a) Electrical and mechanical operating games  
Notification of the Ministry of Commerce Regarding the Importation of Game Machines into the Kingdom of Thailand B.E. 2548 (2005) (dated 19 July 2005)
- (b) Goods by deceptive practice.  
Notification of the Ministry of Commerce on Exportation and Importation of Goods into the Kingdom of Thailand B.E. 2530 (1987) (dated 14 October 1987)
- (c) Copyrights-infringing cassette tapes, audio, compact disc, video tapes, computer programs and books.  
Notification of the Ministry of Commerce on Exportation and Importation of Goods into the Kingdom of Thailand (No. 94) B.E. 2536 (1993) (dated 21 April 1993)  
Notification of the Ministry of Commerce on Exportation and Importation of Goods into the Kingdom of Thailand (No. 95) B.E. 2536 (1993) (No.95) (dated 21 April 1993)
- (d) Re-treaded or used pneumatic tyres of rubber (for cars, motorcycles, bicycles)  
Notification of the Ministry of Commerce Regarding the Determination of Used Tires as Prohibited Goods or Subject to Licensing Requirements and Compliance with Measures on Regulation of Import into the Kingdom of Thailand B.E. 2556(2013) (dated 16 August 2013)

- (e) Waste, parings and scrap of rubber of cars, buses/trucks, motorcycles and bicycles  
Notification of the Ministry of Commerce Regarding the Determination of Used Tires as Prohibited Goods or Subject to Licensing Requirements and Compliance with Measures on Regulation of Import into the Kingdom of Thailand B.E. 2556 (2013) (dated 16 August 2013)
- (f) Bodies of used motor vehicles including cabs and chassis thereof, and frames of used motorcycles excluding those of a cylinder capacity not exceeding 50cc and forks and wheels with diameters not over 10 inches  
Notification of the Ministry of Commerce Regarding the Prohibition of Import of Used Motor Car Bodies and Used Motorcycle Frames into the Kingdom of Thailand B.E. 2555 (2012) (dated 27 June 2012)  
Notification of the Ministry of Commerce Regarding the Prohibition of Import of Used Motor Car Bodies and Used Motorcycle Frames into the Kingdom of Thailand (No. 2) B.E. 2555 (2012) (dated 30 August 2012)
- (g) Used tractors excluding used road tractors for semi-trailers and used tractors for agricultural use  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand B.E. 2562 (2019) (dated 12 June 2019)  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand (No. 2) B.E. 2562 (2019) (dated 4 December 2019)
- (h) Used motor vehicles except used ambulances  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand B.E. 2562 (2019) (dated 12 June 2019)
- (i) Used antiques motor vehicles of an age over 100 hundred years  
Notification of the Ministry of Commerce Regarding the Determination of Used Motor Vehicles as Import Prohibited Goods or Subject to Licensing Requirements on Regulation of Import into the Kingdom of Thailand B.E. 2562 (2019) (dated 12 June 2019)
- (j) Ceramic food containers and metal-coated food containers  
Notification of the Ministry of Commerce Establishing Ceramic Ware and Enamel ware as Prohibited Goods or Goods which require Health Certificate for Import into the Kingdom of Thailand B.E. 2551 (2008) (dated 8 August 2008)  
Kingdom of Thailand B.E. 2551 (2008) (dated 8 August 2008)
- (k) Used motorcycles  
Notification of the Ministry of Commerce Regarding the Prohibition of Import of Used Motorcycles into the Kingdom of Thailand B.E. 2564 (2021) (dated 27 July 2021)

Absolutely prohibited goods:

- (a) Household refrigerator, combined refrigerator-freezer utilizing CFC in the production process.  
Notification of the Ministry of Commerce Regarding the Prohibition of Import of Refrigerators, Water Coolers, Coolers or Freezers which are Cooling or Freezing Products Using CFCs (Chlorofluorocarbons) into the Kingdom of Thailand B.E. 2549 (2006) (dated 13 March 2006)
- (b) Used engines, parts and accessories of motorcycles of a cylinder capacity not exceeding 50cc and wheels with diameters not over 10 inches.  
Notification of the Ministry of Commerce on Importation of Goods into the Kingdom of Thailand (No. 129) B.E. 2541 (1998) (dated 9 September 1998)
- (c) Logs and sawn wood which are made of teak trees, rubber trees or forbidden trees from the border of Tak and Kanchanaburi provinces.  
Notification of the Ministry of Commerce Regarding the Importation of Wood and Processed Wood including Artifacts, Appliances or any Articles Made of Wood into the Kingdom of Thailand along Tak Province and Kanchanaburi Province Borders B.E. 2548 (2005) (dated 29 November 2005)
- (d) Baraku/Shisha, electronic cigarette and Baraku including Heat-not-burn tobacco product  
Notification of the Ministry of Commerce Regarding the Prohibition of Import of Baraku and Electronic Baraku or Electronic Cigarettes into the Kingdom of Thailand B.E. 2557 (2014) (dated 12 December 2014)
- (e) HCFC - 22 based air conditioning equipment with cooling capacity under 50,000 BTU/hr  
Notification of the Ministry of Commerce Regarding the Prohibition of Import of HCFC - 22 based air conditioning equipment with cooling capacity under 50,000 BTU/hr into the Kingdom of Thailand B.E. 2561 (2018) (dated 16 January 2018)

- (f) Municipal solid waste  
Notification of the Ministry of Commerce Regarding the Prohibition of Import into or transit through the Kingdom of Thailand of municipal waste B.E. 2562 (2019) (dated 29 May 2019)
- (g) E – Waste  
Notification of the Ministry of Commerce Regarding the Import Prohibition of E – Waste into the Kingdom of Thailand B.E. 2563 (2020) (dated 11 August 2020)

The legislation leaves the designation of products to be licensed to administrative discretion under well-defined criteria. All import measures must be approved by the Cabinet before imposing the regulations.

### **Procedures**

6. Not applicable.

7.(a) There is no certain period for advanced application of an import licence.

(b) The duration of granting license depends on types of product.

(c) There are no limitations as to the period of the year during which an application for importation of import prohibited goods may be made.

(d) The importation of prohibited goods is considered by the Department of Foreign Trade and/or other authorities concerned

8. In general, there is no circumstance other than failure to meet the ordinary criteria under import control regulations. The reasons for any refusal will be given to the applicant. However, they will be given the right to appeal to the authorities concerned for reconsideration. The Ministry of Commerce and/or the Director-General of the Department of Foreign Trade and/or authorities appointed by the Ministry of Commerce are the final decision-makers.

### **Eligibility of importers to apply for licence**

9.(a) Under the import prohibit goods, some person, firm or juristic person are eligible to apply for a licence as long as they meet the specific requirements.

### **Documentation and other requirements for application for licence**

10. Documentation and other requirements for application of import prohibited goods such as:

- Name and address of the importer;
- Business of the importer;
- Name and address of exporter/shipper;
- Country of origin;
- Means of transport;
- Description and amount of goods to be imported;
- Invoice/ Pro-forma invoice;
- Sales contract;
- Certificate of Import Permit;
- Approved document from authorities concerned;
- Other necessary documents;
- Bank guarantee (in case of re-exportation).

11. At the time of actual importation, depending on types of import regulations, the import licence or registration number or notification number or relevant certificate must be presented to the customs at the port where the entry takes place.

12. Not applicable.

13. The guarantee deposit or advance payment in term of a bank guarantee, associated with the issue of licence exists only in cases of temporary import of used vehicles.

**Conditions of licensing**

14. Not applicable.

15. Not applicable.

16. Not applicable.

17. Not applicable.

**Other procedural requirements**

18. If the products are also regulated by other government agencies, the importer must follow their measures as well.

19. Not applicable.

---

**ANNEX****1. List of Products by Ministry****2 Ministry of Commerce****2.1 Department of Foreign Trade**

- 2.1.1 Goods subject to Automatic import licensing
- 2.1.2 Goods under Non-Automatic import licensing
- 2.1.3 Agricultural Products under TRQs
- 2.1.4 Import prohibited goods

**2. Ministry of Commerce****2.1 Department of Foreign Trade**

- 2.1.1 Goods subject to Automatic import licensing

HS Code	Description
Various	16 kinds of drugs, chemical and pharmaceutical products
2922.19.90 (HS 2012)	Clenbuterol compounds and its salts
2922.50.90 (HS 2002)	Albuterol or salbutamol and its salts
2939.30.00 (HS 2002)	Caffeine and its salts
8443.19.00 (HS 2017)	Intaglio printing machines
2920.90.90 (HS 2012)	Volatile alkyl nitrite substance
87.03, 87.05 (HS 2017)	Used ambulances and Used fire trucks
7419.99.99, 7326.90.99 (HS 2017)	Metal Coin Blank
2207.20.11, 2207.20.19, 2707.50.00, 2710.12, 2710.19.71, 2710.19.83, 2710.20.00, 2711.12.00, 2711.13.00, 2711.29.00, 2711.14.90, 2711.19.00, 3826.00.10, 3826.00.90 (HS 2012)	Fuel oil
7102.10.00, 7102.21.00, 7102.31.00 (HS 2002)	Rough diamonds
Various	Logs, wood and all wooden products
Various	Ceramic food containers and metal-coated food containers
0714.10 (HS 2017)	Cassava and cassava products
0206.30.00, 0206.41.00, 0206.49.00 (HS 2012)	Swine's offal
0703.10.21, 0703.10.29 (HS 2012)	Shallots
0805.10.10, 0805.20.00 (HS 2012)	Fresh oranges
8419.11.10, 8419.11.90 (HS 2012)	Gas water warmer and water heater
2841.61.00 (HS 2002)	Potassium permanganate
2301.20 (HS 1987)	Fish meal with protein content more than 60 per cent
1005.90 (HS 2022)	Maize (corn) for animal feed
2304.00 (HS 2022)	Soya-bean meal
2501.00.10.000 2501.00.20.000 2501.00.91.000 2501.00.92.000 2501.00.99.003 2501.00.99.004 2501.00.99.090 (HS 2017)	Salt

- 2.1.2 Goods under Non-Automatic import licensing

HS Code	Description
2301.20 (HS 1987)	Fish meal with protein content less than 60%
25.15 (exclude 2515.12.10), 6802.21.00, 6802.23.00, 6802.29.10, 6802.29.90 (HS 2012)	Building stone (Marble, travertine, ecaussine and other calcareous monumental or building stone, Marble, travertine and alabaster, granite; other stone)
8408.90 (HS 2012)	Used diesel engines displacement of 331-1,100 cc.
Various	Antique idols and parts thereof, parts of ancient monuments, ancient coins, inscriptions and ancient manuscripts and prehistoric implements
Various	Machinery and parts thereof which can be used to violate copyrights of cassette tape, video tape, and compact disc
39.15 (HS 1992)	Waste and scrap of plastics
4012.12.10, 4012.12.90, 4012.20.21, 4012.20.29 (HS 2012)	Re-treaded or used pneumatic tyres of rubber for buses or trucks



HS Code	Description
87.01 (HS 2017)	Used tractors for semi-trailers
87.05 (HS 2017)	Used special purpose motor vehicles
Various	Gold

## 2.1.3 Agricultural Products under TRQs

HS Code	Description
0401.10.10, 0401.10.90, 0401.20.10, 0401.20.90, 0401.40.10, 0401.40.20, 0401.40.90, 0401.50.10, 0401.50.90, 2202.91.00, 2202.99.10, 2202.99.20, 2202.99.40, 2202.99.50, 2202.99.90, (HS 2017)	Milk and cream, not concentrated nor containing added sugar or other sweetening matters (including flavoured milk)
0402.10.41, 0402.10.42, 0402.10.49, 0402.10.91, 0402.10.92, 0402.10.99 (HS 2017)	Milk and cream, concentrated or containing added sugar or other sweetening matter, in powder, granules or other solid forms, of a fat content, by weight, not exceeding 1.5%
0701.10.00, 0701.90.10, 0701.90.90 (HS 2017)	Potatoes, fresh or chilled
0703.10.11, 0703.10.19, 0712.20.00 (HS 2017)	Onion, fresh, chilled, dried, whole, cut, sliced, broken or in powder, but not further prepared, mixed
0703.20.10, 0703.20.90, 0712.90.10 (HS 2017)	Garlic, fresh or chilled, whether or not in powder
0801.11.00, 0801.12.00, 0801.19.10, 0801.19.90 (HS 2017)	Coconut, fresh or dried, whether or not chilled or peeled including desiccated
0901.11.20, 0901.11.30 0901.11.90, 0901.12.20, 0901.12.90, 0901.21.11, 0901.21.12, 0901.21.19, 0901.21.20, 0901.22.10, 0901.22.20, 0901.90.10, 0901.90.20 (HS 2022)	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing any portion of coffee
0902.10.10, 0902.10.90, 0902.20.10, 0902.20.90, 0902.30.10, 0902.30.90, 0902.40.10, 0902.40.90 (HS 2022)	Tea
0904.11.10, 0904.11.20, 0904.11.90, 0904.12.10, 0904.12.20, 0904.12.90 (HS 2022)	Pepper, dried, whether or not crushed or ground
1005.90.99 (HS 2022)	Maize (corn) for animal feed
1006.10.10, 1006.10.90, 1006.20.10, 1006.20.90, 1006.30.30, 1006.30.40, 1006.30.91, 1006.30.99, 1006.40.10, 1006.40.90 (HS 2017)	Rice (including paddy, broken)
1201.10.00, 1201.90.00 (HS 2022)	Soya beans, whether or not broken
1203.00.00 (HS 2017)	Copra
1209.91.10 (HS 2017)	Onion seeds
1507.10.00, 1507.90.10, 1507.90.20 1507.90.90 (HS 2022)	Soya-bean oil and its fractions, whether or not refined, but not chemically modified
1511.10.00, 1511.90.20, 1511.90.31, 1511.90.32, 1511.90.36, 1511.90.37, 1511.90.39, 1511.90.41, 1511.90.42, 1511.90.49, 1513.21.10, 1513.21.90, 1513.29.11, 1513.29.12, 1513.29.13, 1513.29.14, 1513.29.91, 1513.29.92, 1513.29.94, 1513.29.95, 1513.29.96, 1513.29.97 (HS 2022)	Palm oil and its fractions, whether or not refined, but not chemically modified

HS Code	Description
1513.11.00, 1513.19.10, 1513.19.90 (HS 2017)	Coconut oil and its fractions, whether or not refined, but not chemically modified
1701.12.00, 1701.13.00, 1701.14.00, 1701.91.00, 1701.99.10, 1701.99.90 (HS 2022)	Cane or beet sugar and chemically pure sucrose in solid form
2101.11.11, 2101.11.19, 2101.11.90, 2101.12.10, 2101.12.91, 2101.12.92, 2101.12.99 (HS 2022)	Instant coffee and other extracts, essences and concentrated, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee
2304.00.21, 2304.00.29 (HS 2022)	Oil cake and other solid residue resulting from extraction of soya-bean oil, whether or not ground or in the form of pellets
0813.40.10 (HS 2022)	Longans, dried
5002.00.00 (HS 2017)	Raw silk

## 2.1.4 Import prohibited goods

HS Code	Description
Prohibited goods	
9504.30.10, 9504.30.20, 9504.30.90, 9504.90.31, 9504.90.39, 9504.90.92, 9504.90.93 (HS 2012)	Electrical and mechanical operating games
Various	Goods by deceptive practice.
Various	Copyrights-infringing cassette tapes, audio, compact disc, video tapes, computer programs and books.
4012.11.00, 4012.20.10, 4012.19.10, 4012.20.40, 4012.19.20, 4012.20.50 (HS 2012)	Re-treaded or used pneumatic tyres of rubber (for cars, motorcycles, bicycles) - cars - motorcycles - bicycles
4004.00.00 (HS 2012)	Waste, parings and scrap of rubber of cars, buses/trucks, motorcycles and bicycles
Various	Bodies of used motor vehicles including cabs and chassis thereof, and frames of used motorcycles excluding those of a cylinder capacity not exceeding 50cc and forks and wheels with diameters not over 10 inches
87.01 (HS 2017)	Used tractors excluding used road tractors for semi-trailers and used tractors for agricultural use
87.02, 87.03, 87.04 (HS 2017)	Used motor vehicles except used ambulances
97.06 (HS 2017)	Used antiques motor vehicles of an age over one hundred years
Various	Ceramic food containers and metal-coated food containers
87.11 (HS 2017)	Used motorcycles
Absolutely prohibited goods	
Various	Household refrigerator, combined refrigerator-freezer utilizing CFC in the production process.
8407.31.00, 8714.10.20, 8714.10.90, 7204, 7602 (HS 2012)	Used engines, parts and accessories of motorcycles of a cylinder capacity not exceeding 50 cc and wheels with diameters not over 10 inches.
Various	Logs and sawn wood which are made of teak trees, rubber trees or forbidden trees from the border of Tak and Kanchanaburi provinces.
2403.11.00, 8543.70.90, 9614.00.90 (HS 2012)	Baraku/Shisha, electronic cigarette and Baraku including Heat-not-burn tobacco product.
8415.10.10 (HS 2017)	HCFC - 22 based air conditioning equipment with cooling capacity under 50,000 BTU/hr
3825.10.00 (HS 2017)	Municipal solid waste
84 and 85 (HS 2017) (only the list in the notification)	E - Waste