

(Unofficial Translation)

Notification of Ministry of Commerce
Regarding the Imposition of Fuel Oil to be the Commodity
under Administrative Measure for Importation into the Country
B.E. 2552

For economic stability and benefit of the promotion on international fuel oil trade, it is necessary to adjust the administrative measure on imported fuel oil according to the Notification of Ministry of Commerce regarding the imposition of administrative measure on imported fuel oil into the country (No. 127) B.E. 2541 in harmony with the situation of fuel oil trade at present.

By virtue of the Article 5 paragraph one (6) and paragraph two, and the Article 25 of the Exportation and Importation of Goods Act B.E. 2522, the Ministry of Commerce, through the approval of Cabinet, hence announced this Notification below. This is in compliance with Section 29, together with Section 32, 33, 41, and 43 of the Constitution of the Kingdom of Thailand, which required that any provisions restricting right and freedom of people shall be done via the provision of laws.

Article 1 This Notification is called "Notification of Ministry of Commerce Regarding the Imposition of Fuel Oil to be the Commodity under Administrative Measure for importation into the Country B.E. 2552"

Article 2 This Notification shall be in force after 60 days from the date of publication in the Government Gazette.

Article 3 The Notification of Ministry of Commerce Regarding the Imposition of Administrative Measure on Imported Fuel Oil onto the Country (No. 127) B.E. 2541 shall be revoked.

Article 4 In this Notification,
"Fuel Oil" means fuel oil according to the Fuel Oil Act B.E. 2543.

Article 5 the types of Fuel Oil that are under the administrative measure for importation in the country are in following.

(1) Gasoline and similar oil used for engine, including light oil and other artificial objects under HS Code 2710.11, Kerosene under HS Code 2710.19.16 and Reformate under HS code 2707.50.00

(2) Propane under HS Code 2711.12.00, Butane under HS Code 2711.13.00, Propylene, Butylene and Butadiene under HS Code 2711.14.90 and Liquefied Petroleum Gas under HS Code 2711.19.00

(3) High Speed Diesel Oil of 2710.19.71

(4) Ethanol used as fuel either directly or mixed with fuel oil for engine under HS Code 2207.20.11 and 2207.20.19

(5) Biodiesel under HS Code 3824.90.90

Article 6 An importer of Fuel Oil under Article 5 (1) and (2) must be the person in following:

(1) The person receiving license to be oil trader under Section 7 of Fuel Oil Trade Act B.E. 2543 whose name is appeared in the list the Department of Energy Business sent to the Department of Customs, Ministry of Finance; or

(2) The person, whom approved by the Director-General of Department of Foreign Trade, Ministry of Commerce under the recommendation of the Department of Energy Business. This person shall present a certificate of the Department of Energy Business to the customs officer for importation.

Article 7 An importer of Fuel Oil under Article 5 (3) must be an oil trader under Section 7 of Fuel Oil Trade Act B.E. 2543, whose name appeared in the list the Department of Energy Business sent to the Department of Customs, Ministry of Finance. In that regard, the importer must inform following details of import to the Department of Energy Business, Ministry of Energy, within two working days from the date of exporting from original overseas port. However, the importer must inform such information before the date that the ship has arrived into the country.

(1) Quantity of Fuel Oil importing into the country. If does not know the exact quantity, the estimation shall be applied.

(2) Name of ship used in transportation and weight load of the ship.

(3) Original overseas port loaded Fuel Oil into ship.

(4) Estimated date of ship departing from original overseas port and the date estimated by importer of ship arriving at port in the country.

(5) Port of importation

Article 8 The importer of Fuel Oil under Article 5 (4) and (5) must be a person, whom approved by the Director-General of Department of Foreign Trade under the recommendation of the Department of Energy Business. This person shall present a certificate of the Department of Energy Business to the customs officer for importation.

Article 9 Article 5 does not apply in the following circumstances.

(1) When Fuel Oil is entering into the country in a vehicle for consumption of such vehicle.

(2) When Fuel Oil is imported as sample for test or experiment in necessary quantity.

(3) When Fuel Oil is imported to be kept in bonded warehouse for oil storage or tank farm in free trade zone.

Announced on June 22, 2009

- Signature -

(Mrs. Porntiwa Nakasi)
Minister of Commerce

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