

EXPORT COMMODITY STANDARDS ACT,
B.E. 2503 (1960)**

In the Name of His Majesty King Bhumibol Adulyadej,
Sangwan,
Regent,

Given on the 2nd Day of August B.E. 2503;
Being the 15th Year of the Present Reign.

Whereas it is expedient to enact the law on export commodity standards;
Be it, therefore, enacted by the King, by and with the advice and consent of
the Constituent Assembly in the capacity of the National Assembly, as follows:

Section 1. This Act is called the “Export Commodity Standards Act, B.E. 2503 (1960)”.

Section 2.¹ This Act shall come into force as from the day following the date of its publication in the Government Gazette.

CHAPTER I
GENERAL PROVISIONS

Section 3.² In this Act:

* Translated by Ms. Mattanee Kaewpanya under contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Initial Version – pending review and approval by the Office of the Council of State.

** As amended up to the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

¹ Published in the Government Gazette, Vol. 77, Part 66, Page 522, dated 9th August B.E. 2503 (1960).

² Section 3 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

“standard commodity” means commodity being identified by the Council of Ministers to be the standard commodity;

“commodity standard” means quality, grade, category or type of standard commodity as identified by using quantity, unit, weight, volume, scale of ingredients, composition, proportion, color, sample and others, either one or many of them as criterion, including also packaging, wrapping or binding methods, as well as materials used in these process;

“commodity standards certificate” means a document indicating commodity standards being issued under this Act;

“inspection mark” means a logo, signboard, label or any sign being assigned for affixing, imprinting or attaching on standard commodity or materials used in packaging, wrapping or binding in order to indicate that the standard of such standard commodity has been inspected;

“seal” means a stamp or any other sign being assigned for imprinting on standard commodity or materials used in packaging, wrapping or binding as an evidence in preserving such commodity from being added, switched or altered;

“commodity standard inspector” means a civil servant, a State officer or an officer of State agency or State enterprise being appointed by the Director-General to be the person having powers and duties for the execution under this Act;

“official” means a civil servant, a State officer or an officer of State agency or State enterprise being appointed by the Minister to be the person having powers and duties for the execution under this Act;

“Director-General” means the Director-General of Department of Foreign Trade;

“Minister” means the Minister having charge and control of the execution of this Act.

Section 4.³ The Minister, with an advice of the Commodity Standards Committee, shall have the powers:

(1) to identify commodities as, or revoke commodities from, being the standard commodities;

(2) to identify, amend or revoke commodity standards;

³ Section 4 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

(3) to assign signs, with or without wordings on them, in order to indicate that the standard commodities are those being produced or available for export, and to prescribe criterion and methods to display those signs;

(4) to specify Customs Houses where senders or exporters of standard commodities out of the Kingdom must present the commodity standard certificates for each category or type of standard commodities;

(5) to prescribe criterion and methods for provision of commodity standards inspection and the commodity standards inspection for each category or type of standard commodities;

(6) to prescribe criterion and procedures on standard commodities whose quality is inconsistent with the prescribed commodity standards;

(7) to prescribe service charge rates on commodity standards inspection and issuance of commodity standard certificates.

The prescription, amendment or revocation under this section shall be published in the Government Gazette. The identification or amendment under (1) or (2) must specify an effective date at least not less than sixty days as from the day following the date of its publication in the Government Gazette, except for the amendment under (2), which results in relieving obligations of those who have duties to perform in accordance with this Act, may become effective on the date of its publication in the Government Gazette.

Section 5.⁴ The Office of Commodity Standards shall be established to be affiliated with Department of Foreign Trade, Ministry of Commerce.

The Minister shall have the power to establish a branch office in such area he or she deems appropriate for the execution of this Act and being responsible directly to the Office of Commodity Standards. The establishment shall be published in the Government Gazette.

The Office of Commodity Standards and each branch office shall have a chief who is responsible for the operation which falls under the powers and duties of the Office of Commodity Standards or that branch office.

The Director-General shall have the powers and duties to appoint the chiefs of the Office of Commodity Standards or branch offices.

⁴ Section 5 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

Section 6.⁵ The Minister of Commerce shall have charge and control of the execution of this Act and shall have the powers to appoint officials, commodity standard certificate issuers, and to issue Ministerial Regulations prescribing fees not higher than the rates annexed to this Act, to prescribe other activities, and to issue Notifications for the execution of this Act.

Such Ministerial Regulations and Notifications shall come into force upon their publication in the Government Gazette.

CHAPTER II THE COMMODITY STANDARDS COMMITTEE

Section 7.⁶ There shall be a Committee called the “Commodity Standards Committee”, consisting of the Permanent Secretary of Ministry of Commerce as Chairperson, Director-General of Department of Foreign Trade, Director-General of Commercial Relations, representatives of Ministry of Industry, Customs Department, Board of Trade of Thailand and other not more than six members appointed by the Council of Ministers, and the Chief of the Office of Commodity Standards shall be member and secretary.

The members being appointed by the Council of Ministers shall hold office for a term of two years. The members already vacating the office may be reappointed.

Section 8. In addition to vacating office on the expiration of term under section 7 paragraph two, the member being appointed by the Council of Ministers vacates office upon:

- (1) death;
- (2) resignation;
- (3) being bankrupt;
- (4) being an incompetent or a quasi-incompetent person;
- (5) being imprisoned due to a final judgment to a term of imprisonment except for a petty offence or an offence committed through negligence.

⁵ Section 6 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

⁶ Section 7 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

In case the members being appointed by the Council of Ministers vacate the office before the expiration of the term, the Council of Ministers may appoint other persons as replacement.

The members being appointed under the previous paragraph shall be in office for the term of office of the member being replaced.

Section 9. At a meeting of the Commodity Standards Committee, the presence of not less than one-half of all members is required to constitute a quorum. If the Chairperson is not present at the meeting or is unable to perform the duties, the members present shall elect one among themselves to preside over the meeting.

A decision of the meeting shall be made by a majority of votes.

In casting a vote, each member shall have one vote. In the case of an equality of votes, the presiding member shall have an additional vote as the casting vote.

Section 10. The Commodity Standards Committee shall have the power to appoint a Sub-Committee to execute activities or consider various issues under the scope of duties of the Committee.

Section 9 shall apply *mutatis mutandis* to the meeting of the Sub-Committee.

Section 11. The Commodity Standards Committee shall have the duties:

- (1) to review proposals of the officials and present opinions to the Council of Ministers;
- (2) to give recommendations or advice to the Minister on issues relating to the commodity standards;
- (3) to decide on an appeal under section 43 and in this regard, to have the power to order in writing any person to clarify facts or to send specimens of commodities or anything relevant to consideration by the Committee on the appeal, as necessary;
- (4) to perform other acts relating to commodity standards as assigned by the Council of Ministers.

CHAPTER III

EXPORTING TRADE OF STANDARD COMMODITIES

DISCLAIMER: THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE

Section 12. Any person, making trade by sending or exporting any standard commodity out of the Kingdom via the Customs House as prescribed by the Minister, must register as a standard commodity exporter at the Office of Commodity Standards or branch office.

Criterion and methods on application for registration as standard commodity exporter and qualifications of the applicant shall be as specified in Ministerial Regulation.

The Minister may prescribe conditions in the Ministerial Regulation for standard commodity exporters to comply for the benefit of controlling the commodity standards.

Section 13. When the Office of Commodity Standards or branch office receives an application for registration and is of the view that the application is correct, it shall accept the application and issue a registration certificate as standard commodity exporter to the applicant. Such registration certificate shall be called the "Certification" in brief.

In the case where the Office of Commodity Standards or branch office refuses to accept an application for registration, the applicant shall have the right to appeal by submitting it in writing to the Minister within thirty days as from the date acknowledging the refusal. The ruling of the Minister shall be final.

Section 14. The Certification shall be valid until 31st day of December of the registration year and may be renewed for one year at a time.

If the Certification is lost or destroyed, the standard commodity exporter shall file a request for its replacement within thirty days as from the date acknowledging the loss or destruction.

The registered exporters must display the Certification or the replacement in an open space and clearly visible at the office indicated in that Certification.

Section 15. Cessation of exporting the registered standard commodities in whole or certain category or type of standard commodities, moving of office, changing of an Executive or members, or any changes that will differentiate from what being registered, the standard commodity exporter shall notify about the cessation, move or change in writing within thirty days as from the date of such cessation, move or change.

Section 16. Any person, who is not registered as standard commodity exporter, is prohibited to send or export standard commodities out of the Kingdom via the Customs Houses as specified by the Minister.

DISCLAIMER: THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE

The provision in the previous paragraph does not apply to standard commodities being sent or exported for non-trade purpose, or being freighted out as necessary or as sampling; in any case the quantities must not be more than as notified by the Minister and published in the Government Gazette. If the quantities are more than as notified, permission must be granted from the Minister or the person assigned by the Minister.

Section 17.⁷ For the standard commodities which the exporter wishing to send or export out of the Kingdom via the Customs Houses as specified by the Council of Ministers, the sender or exporter must carry out commodity standards inspection and apply for the commodity standards certificate from the Office of Commodity Standards or branch office or the person appointed by the Minister to be the commodity standards certificate issuer under this Act. The sender or exporter must present that certificate to the Customs officer, except for the sending or exporting of standard commodities out of the Kingdom under section 16 paragraph two.

Provision of commodity standards inspection and commodity standards inspection under paragraph one shall be in accordance with criterion and methods as specified by the Minister.

Section 17 bis.⁸ In a case where the Minister identifies any commodity to be standard commodity and that Notification is not yet in effect, any person wishing to send or export out of the Kingdom via the Customs Houses as specified by the Minister and wishing to apply for the commodity standards certificate for that commodity, shall apply for registration as the exporter and carry out commodity standards inspection under this Act. When the Office of Commodity Standards or branch office issues the Certification and the commodity standards certificate, that person shall be deemed as the exporter and that exporting commodity is the standard commodity.

Section 17 ter.⁹ No person is allowed to use other substances to dilute the standard commodities being produced or available for distribution in export trading, causing

⁷ Section 17 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

⁸ Section 17 *bis* was added by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

⁹ Section 17 *ter* was added by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

their quality to be inconsistent with the specified commodity standards, or to possess them for distribution in export trading with the comprehension that the quality being inconsistent with the specified commodity standards.

The person possessing standard commodities who later becomes aware that the quality of commodities under possession is inconsistent with the specified commodity standards shall not be deemed as comprehending that the quality being inconsistent with the specified commodity standards, except in a case where that person fails to rectify the quality of the standard commodities to be consistent with the specified standards or to destroy them, or to act in any one way in accordance with criterion and methods specified by the Minister.

Section 18.¹⁰ For the standard commodities, whose specimens have already been taken for commodity standards inspection or which have already been inspected or issued the commodity standards certificate, no person is allowed to do any of the following acts, except for acts relating to the execution of duties within the scope of powers and duties of the officials or those who have duties to inspect commodity standards:

- (1) any act that causes the standard commodities or commodity standards to differ from the original;
- (2) destruction or alteration of labels, commodity standards inspection marks or signs indicating quality, quantity or weight;
- (3) destruction or alteration of seals;
- (4) any act that causes the specimens already taken for inspection to differ from the original.

Section 19.¹¹ For any exporter of standard commodities who acts or omits to perform any act that is in violation of this Act, Ministerial Regulations or Notifications issued under this Act, the Office of Commodity Standards shall have the power to suspend his or her Certification for period of time as deemed appropriate or may revoke his or her registration.

In case it appears that the standard commodity exporter lacks of qualifications as prescribed in Ministerial Regulations issued under section 12 paragraph two,

¹⁰ Section 18 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

¹¹ Section 19 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

the Office of Commodity Standards or branch office shall revoke the registration of that person.

The person whose registration is suspended or revoked under this section shall have the right to appeal by submitting it in writing to the Minister within thirty days as from the date receiving the suspension or revocation order. The ruling of the Minister shall be final.

In a case where the person, whose registration is suspended or revoked, avoids or denies the order, such order shall be revealed at an open space and clearly visible at the office indicated in the Certification of that person. He or she shall be deemed as having acknowledged the order as from the date of revelation.

CHAPTER IV COMMODITY STANDARDS INSPECTION BUSINESS

Section 20. Subject to section 23, no person is allowed to run commodity standards inspection business, except for those being licensed from the Office of Commodity Standards under this Act.

Section 21. An applicant to be the commodity standards inspection operator must be a legal person.

Criterion and methods for application to be the commodity standards inspection operator and its qualifications shall be in accordance with those specified in Ministerial Regulation.

The Minister may prescribe conditions in Ministerial Regulation for commodity standards inspection operators to perform for the benefit of controlling commodity standards.

Section 22. In a case where the Office of Commodity Standards orders a rejection to grant license for any commodity standards inspection operator applicant, that person shall have the right to appeal by submitting it in writing to the Minister within thirty days as from the date receiving the rejection order. The ruling of the Minister shall be final.

Section 23. The Minister may assign a legal person, which is a government agency or a government organization or a State agency named otherwise, to run commodity

standards inspection business on any category or type under this Act, by publishing it in the Government Gazette.

Section 24. The commodity standards inspection operator is prohibited to trade any category or type of commodities he or she has been licensed to inspect, regardless if it is export trading or not.

Section 25. The commodity standards inspection operator license shall be valid until 31st Day of December of the issued year and may be renewed for one year at a time.

If the license is lost or destroyed, the commodity standards inspection operator shall file a request for its replacement within thirty days as from the date acknowledging the loss or destruction.

The licensee under the previous paragraph must display the license or the replacement in an open space and clearly visible at the office indicated in that license.

Section 26. Cessation of commodity standards inspection business in whole or for certain category or type of standard commodities, moving of office, changing of an Executive or members, or any changes that will differentiate from what being specified in the license or notified in the application for commodity standards inspection business, as the case may be, the commodity standards inspection operator shall notify about the cessation, move or change in writing within thirty days as from the date of such cessation, move or change.

Section 27. The commodity standards inspection operator shall make a monthly report on commodity standards inspection and submit it to the Office of Commodity Standards or branch office in the format as specified by the Minister before 15th day of next month.

In a case where there is no inspection in any month, the commodity standards inspection operator shall submit the report to the Office of Commodity Standards or branch office in the format as specified by the Minister, indicating that there is no inspection in that month, before 15th day of next month.

DISCLAIMER: THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE

Section 28.¹² For any commodity standards inspection operator who acts or omits to perform any act that is in violation of this Act, Ministerial Regulations or Notifications issued under this Act, the Office of Commodity Standards shall have the power to suspend its license for period of time as deemed appropriate or may revoke its license.

In case it appears that the commodity standards inspection operator lacks of qualifications as prescribed in Ministerial Regulations issued under section 21 paragraph two, the Office of Commodity Standards shall revoke its license.

The operator whose license is suspended or revoked under this section shall have the right to appeal by submitting it in writing to the Minister within thirty days as from the date receiving the suspension or revocation order. The ruling of the Minister shall be final. The provision in section 19 paragraph four shall apply *mutatis mutandis*.

CHAPTER V COMMODITY STANDARDS INSPECTOR

Section 29. No person is allowed to be commodity standards inspector, except for those being licensed from the Office of Commodity Standards under this Act.

Criterion and methods for application to be the commodity standards inspector and its qualifications shall be in accordance with those specified in Ministerial Regulation.

The Minister may prescribe conditions in Ministerial Regulation for commodity standards inspectors to perform for the benefit of controlling commodity standards inspection.

Section 30. In a case where the Office of Commodity Standards orders a rejection to grant license for any person to become commodity standards inspector, that person shall have the right to appeal by submitting it in writing to the Minister within thirty days as from the date receiving the rejection order. The ruling of the Minister shall be final.

Section 31. The commodity standards inspector must not be a partner in ordinary partnership, a partner or an executive in legal partnership, a member or an executive in limited company, which trades commodities whose standards he or she has been licensed to inspect.

¹² Section 28 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

Section 32. The commodity standards inspector is prohibited to trade commodities whose standards he or she has been licensed to inspect, regardless if it is export trading or not.

Section 33. The commodity standards inspector license shall be valid until 31st Day of December of the issued year and may be renewed for one year at a time.

If the license is lost or destroyed, the commodity standards inspector shall file a request for its replacement within seven days from the date acknowledging the loss or destruction.

Section 34. Cessation to be commodity standards inspectors in whole or for certain category or type of standard commodities, moving of office, moving of domicile or any changes that will differentiate from what being specified in the license or notified in the application for commodity standards inspector, as the case may be, the commodity standards inspector shall notify about the cessation, move or changes in writing within thirty days as from the date of such cessation, move or change.

Section 35.¹³ For any commodity standards inspector who acts or omits to perform any act that is in violation of this Act, Ministerial Regulations or Notifications issued under this Act, the Office of Commodity Standards shall have the power to suspend his or her license for period of time as deemed appropriate or may revoke the license.

In case it appears that the commodity standards inspector lacks of qualifications as prescribed in Ministerial Regulations issued under section 24 paragraph two, the Office of Commodity Standards shall revoke the license of that person.

The person whose license is suspended or revoked under this section shall have the right to appeal by submitting it in writing to the Minister within thirty days as from the date receiving the suspension or revocation order. The ruling of the Minister shall be final. The provision in section 19 paragraph four shall apply *mutatis mutandis*.

CHAPTER VI COMMODITY STANDARDS INSPECTION WORKER

¹³ Section 35 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

Section 36.¹⁴ The commodity standards inspection worker shall have the powers and duties as follows:

- (1) to inspect commodity standards;
- (2) to enter into any place or vehicle to inspect operation of standard commodity exporters, commodity standards inspection operators, commodity standards inspectors, as assigned by the Office of Commodity Standards or branch office; in this regard, he or she shall have the power to take appropriate portion of standard commodities as specimens for examination;
- (3) to perform any other acts as assigned by the Office of Commodity Standards or branch office.

Section 37. Persons concerning the execution of duties of the commodity standards inspection workers under section 36 shall provide convenience, assistance or explanations to the commodity standards inspection workers as requested for the execution of duties.

CHAPTER VII
COMMODITY STANDARDS INSPECTION AND
ISSUANCE OF COMMODITY STANDARDS CERTIFICATE

Section 38. The official, commodity standards inspection worker and commodity standard inspector must have an identification card which is issued by the Office of Commodity Standards in the format as notified by the Minister.

In executing duties under this Act, the official, commodity standards inspection worker and commodity standard inspector must show the identification card when being requested by a person concerned.

Section 39. Issuance of commodity standards certificate, which must be presented at the Customs Houses under this Act, can be done only by:

- (1) the Office of Commodity Standards or branch offices; or

¹⁴ Section 36 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

(2) persons appointed by the Minister as commodity standards certificate issuers for specific category or type of standard commodities.

Section 40. When the Minister resolves that which standard commodities should be specifically for the Office of Commodity Standards or branch offices to inspect or issue the commodity standards certificate, he or she shall publish them in the Government Gazette. Such publication does not prejudice the inspection already completed prior to the date of publication.

Section 41. The persons appointed by the Minister as commodity standards certificate issuers shall make a monthly report on commodity standards certificate issuance in the format as prescribed by the Minister and submit it to the Office of Commodity Standards or branch office, together with a copy of the issued certificate before 15th day of next month.

In a case where there is no issuance of the certificate in any month, the commodity standards certificate issuers shall submit the report to the Office of Commodity Standards or branch office in the format as specified by the Minister, indicating that there is no issuance in that month, before 15th day of next month.

CHAPTER VIII POWERS AND DUTIES OF OFFICIALS

Section 42. The officials shall have the powers and duties as follows:

(1) to enter into any place or vehicle to inspect commodities standards, operation of standard commodity exporters, commodity standards inspection operators, commodity standards inspectors, including account books, documents or equipment relating to such operation;

(2) to count, weigh, measure, scale, inspect standard commodities; to take appropriate portion of standard commodities as specimens for examination;

(3) to confiscate or seized standard commodities, account books, documents or any relevant items in case of suspicion that there are wrongdoings against this Act.

Section 42 bis.¹⁵ If encountering any person committing or attempting to commit wrongdoings against this Act, the officials shall have the power to arrest that person without warrant and immediately deliver that person to the inquiry official under the Criminal Procedure Code, together with the exhibits for further actions.

Section 43. The officials shall have the powers and duties to review and decide on any objection or dispute on commodity standards.

In case a person receiving the decision under the previous paragraph is not satisfied with such decision, he or she shall have the right to appeal by submitting it in writing to the Commodity Standards Committee within thirty days as from the date receiving the decision.

Upon receipt of the appeal under paragraph two, the Commodity Standards Committee shall review and make decision without delay. The decision of the Commodity Standards Committee is final.

Section 44. The officials shall have the power to issue a written order to request any person to give facts or send specimens of commodities or any item relevant to the operation under his or her powers and duties for consideration, as necessary.

Section 45. The commodity standards inspection operators, commodity standards inspectors, standard commodity exporters, owners or persons having the places or vehicles under possession, or persons concerned shall provide convenience, assistance or explanations to the officials as requested for execution of duties under section 42.

CHAPTER IX PENALTIES

Section 46.¹⁶ Any person who collects service charges on the commodity standards inspection or issuance of commodity standards license higher than the rates prescribed by the Minister under section 4 (7) shall be liable to imprisonment for a term of

¹⁵ Section 42 bis was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

¹⁶ Section 46 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

not exceeding two years or to a fine not exceeding ten thousand baht or double the amount of the fee collected, whichever higher, or to both.

The provision in paragraph one shall not prejudice provisions of the Criminal Code relating to the malfeasance in office.

Section 47. Any person who fails to comply with section 12 shall be liable to a fine not exceeding five thousand baht.

Section 48. Any person who fails to comply with section 14 paragraph two or paragraph three, section 15, section 25 paragraph two or paragraph three, section 26, section 33 paragraph two or section 34 shall be liable to a fine not exceeding two hundred baht.

Section 49. Any person who violates section 16 shall be liable to imprisonment for a term of not exceeding two years or to a fine not exceeding ten thousand baht, or to both.

Section 50. The standard commodity exporter who sends or exports standard commodities out of the Kingdom via the Customs Houses as specified by the Minister without the commodity standards certificates for those commodities shall be liable to imprisonment for a term of not exceeding two years or to a fine not exceeding ten thousand baht, or to both.

Section 51.¹⁷ Any person who violates section 17 *ter* or section 18 shall be liable to imprisonment for a term between three months to five years and to a fine between thirty thousand to two hundred thousand baht.

All tools and equipment used in the wrongdoings or commodities confiscated from the wrongdoings under section 17 *ter*, shall be wholly forfeited, whereas tools and equipment used in the wrongdoings or commodities confiscated from the wrongdoings under section 18 may or may not be forfeited.

Section 52. Any person who violates section 20, section 24, section 29 paragraph one or section 32 shall be liable to a fine not exceeding five thousand baht.

¹⁷ Section 51 was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

Section 53. Any person who violates section 27, section 38 paragraph two or section 41 shall be liable to a fine not exceeding five hundred baht.

Section 54. Any person who fails to provide convenience, assistance, or explanations to the officials or commodity standards inspection workers as requested which is in violation of section 37 or section 45 shall be liable to a fine not exceeding five hundred baht.

Section 55. Any Committee member or official reviewing and deciding over the objection or dispute under section 43, who reveals any content or facts obtained from the execution of duties which may cause damage to any person, except for the revelation in accordance with the civil service or for the benefit of investigation or consideration of cases, shall be liable to imprisonment for a term of not exceeding six months or to a fine not exceeding five hundred baht, or to both.

Section 56. Any person who fails to comply with the orders of the Committee or official issued under section 11 (3) or section 44 shall be liable to imprisonment for a term of not exceeding ten days or to a fine not exceeding five hundred baht, or to both.

Section 57. Any person having duties to inspect commodity standards or issue commodity standards certificate, who intentionally commits any act to distort the commodity standards inspection or issuance of commodity standards certificate or unreasonably defers the commodity standards inspection or issuance of commodity standards certificate causing delay or damage, shall be liable to imprisonment for a term of not exceeding five years or to a fine not exceeding twenty thousand baht, or to both.

Section 58. Any person giving, requesting or pledging to give assets or other benefits to persons having duties to inspect commodity standards or issue the commodity standards certificates under this Act in return for omission of inspection or to distort the commodity standards inspection or issuance of commodity standards certificate shall be liable to imprisonment for a term of not exceeding five years or to a fine not exceeding twenty thousand baht, or to both.

Section 59. Any person having duties to inspect commodity standards or issue commodity standards certificate under this Act who unlawfully demands, accepts or

DISCLAIMER: THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE

agrees to accept assets or other benefits for oneself or others in return for the omission in inspection of commodity standards or distorting the commodity standards inspection or issuance of commodity standards certificate shall be liable to imprisonment for a term of not exceeding five years or to a fine not exceeding twenty thousand baht, or to both.

The provision in the previous paragraph shall not prejudice provisions of the Criminal Code relating to the malfeasance in office.

Section 60.¹⁸ In cases of the wrongdoings under section 17 *ter* or section 18, the Director-General shall have the power to order a bribe money to a person with information leading to arrest in the amount of fifty percent of the net amount received from selling the forfeited exhibits. However, in cases where there is no forfeiture of exhibits or the exhibits are not sellable, an amount of fifty percent shall be deducted from the fine.

In a case of confiscation of exhibits suspected to be used in wrongdoings without presence of an owner, the Director-General or a person assigned by the Director-General shall make a public announcement seeking the owner for thirty days. If no owner presents oneself within that timeframe, the exhibits shall become State assets and the Director-General shall order selling of the exhibits, then deducting from the selling money as the bribe money in accordance with paragraph one.

Payment of the bribe money under paragraph one, if there are many persons with information leading to arrest, shall be paid equally for those persons.

Countersigned by

Field Marshal S. Dhanarajata

Prime Minister

¹⁸ Section 60 was added by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).

SCHEDULE OF FEES¹⁹

(1)	Application / each	10	Baht
(2)	Registration Certification as standard commodity exporter per each category or each type of standard commodities	5,000	Baht
(3)	Renewal of the Registration Certification under (2) per each category or each type of standard commodities	400	Baht
(4)	Commodity Standards Inspection Operator License per each category or each type of standard commodities	3,000	Baht
(5)	Renewal of the License under (4) per each category or each type of standard commodities	400	Baht
(6)	Technical Commodity Standards Inspector License, requiring technique, scientific tools and equipment / each	1,000	Baht
(7)	Renewal of the License under (6) / each	200	Bath
(8)	Commodity Standards Inspector License, apart from (6) per each category or each type of standard commodities	200	bath
(9)	Renewal of the License under (8) per each category or each type of standard commodities / not more than	50	Baht
(10)	Replacement for the Certification under (2) and Replacement for the Licenses under (4), (6) and (8) / each	100	Baht
(11)	Identification Card / each	50	Baht
(12)	Knowledge test on an applicant for commodity standards inspector under (6)	200	Baht
(13)	Knowledge test on an applicant for commodity standards inspector under (8) per each category or each type of standard commodities	50	Baht
(14)	Copy of each document	10	Baht
(15)	Certifying document or copy of document / each	10	Bath
(16)	Form of application / each or per one package	10	bath

¹⁹ The schedule of fees was amended by the Export Commodity Standards Act (No. 2), B.E. 2522 (1979).