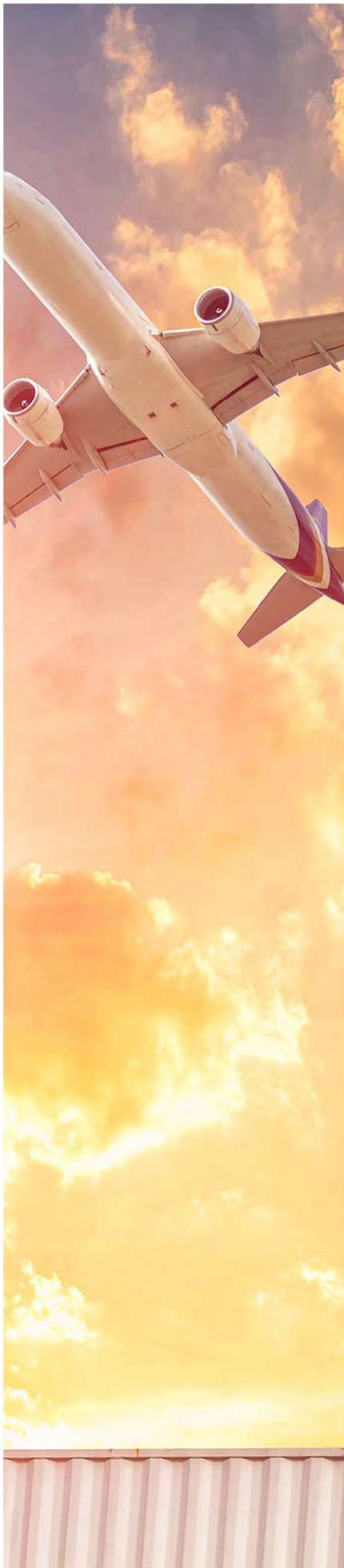


eBook on East Asia Customs Procedures

The Kingdom of Thailand





eBook on East Asia Customs Procedures

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MESSAGE FROM CHAIRMAN

Blessed with geographical proximity, cultural affinity, close business ties and natural advantages for trade and economic cooperation, East Asia is one of the regions in the world with the most potential and development prospects. Since its establishment in 2004, East Asia Business Council (EABC) has always held the belief that cross-border trade, investment liberalization and facilitation are the prerequisites and foundations for East Asian countries to



promote industrial advancement, reduce unemployment and improve the quality of economic development. EABC has long been devoting to reducing trade and investment barriers and facilitating enterprises to carry out cross-border trade and investment.

In 2018, EABC agreed to compile eBook on East Asia Customs Procedures and listed it as a top priority in the Council's annual work in 2019. Today, the eBook is officially launched, with the expectation to strengthen regional economic and trade information sharing and further improve trade facilitation and connectivity among East Asian countries.

The eBook on East Asia Customs Procedures covers the guides of Customs procedures in 13 countries in East Asia, with 24 major items related to the Customs clearance of goods such as legal system, clearance procedures,

prohibitions and restrictions, duty collection (including classification, valuation, rules of origin), trade statistics, violations and sanctions, FTAs, AEOs and etc. The eBook is published electronically in English, providing companies with practical reference for international trade.

I believe that the eBook will help enterprises in the region, especially small and medium-sized enterprises, improve their capabilities in business management, investment and financing, and international market development. We hope that enterprises will take full advantage of the eBook to actively explore the regional market and achieve development goals.

Lu Pengqi
EABC Chairman 2019

ACKNOWLEDGEMENTS

Heartfelt gratitude and sincere respects should be addressed to China Committee, East Asia Business Council (in short EABC China, also China Council for the Promotion of International Trade - CCPIT), to organize, support and sponsor the edition and publication of the eBook on East Asia Customs Procedures to provide manufactures, trader and related service-providers with comprehensive information and elaborate references on Customs procedures in 10 ASEAN member countries and China, Japan and the Republic of Korea, which is a unique, innovative and significant contribution to regional and even international trade community.

Cordial appreciations should be extended to the Trilateral Cooperation Secretariat (TCS) for supporting and partially sponsoring the eBook of China, Japan and the Republic of Korea and CCPIT Guangxi Sub-council for supporting the project.

Dedicated gratitude should also be expressed to all members of the editing team, proofreading team, project team for their arduous and continuous efforts during the process.

EDITOR'S STATEMENT

Customs procedures in almost every country are usually very professional, diverse, technical, abstruse, ambiguous, and even trapped for cross-border manufactures, traders and related service-providers, sometimes even cause significant invisible “barriers” to trade. Thus all the stakeholders imminently need information, materials and references as comprehensive, elaborate and concrete as possible in different countries to enhance the effectiveness and efficiency of cross-border trade.

This eBook on East Asia Customs Procedures aiming to provide a general picture involves in almost all aspects of Customs procedures in 10 ASEAN member countries and China, Japan and the Republic of Korea. For each eBook, a framework of 24 parts of contents is basically followed with certain flexibility of adjustments according to specific situation of each individual country.

It is not an easy task to edit this panorama-type of eBook and during the process the editors are facing significant challenges including English language proficiency, professional competence and most importantly very limited information and materials in English for references.

The contents of each eBook are based on current publicly available information and materials in English, mainly contained in the publications and on the websites of related Customs administrations, government departments and agencies, international organizations and private professional institutions. The editors believe the selection and use of publicly available information will not affect the interests of the above-mentioned organizations and sincerely appreciate those organizations having their information and publications publicly available.

During the editing process, the biggest and greatest challenge is the lack of information and materials in English, which are very limited in almost all countries and even very deficient, very scarce in some countries. Therefore some citations from the official websites and excerpts from legal documents do exist in the eBook.

As a first remarkable pilot project in the fields, this eBook on East Asia Customs Procedures are not perfect and flawless and we are satisfied with the qualities of the majority and will keep on improving the rest.

ABBREVIATIONS

AEO	Authorized Economic Operator
APEC	Asia and Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
BOI	Board of Investment
BOT	Bank of Thailand
CCCN	Customs Cooperation Council Nomenclature
CEP	Closer Economic Partnership
CIF	Cost, Insurance and Freight
CLMV	Cambodia, Laos PDR, Myanmar and Vietnam
CO	Certification of Origin
DIP	Department of Intellectual Property
EDI	Electronic Data Interchange
EFT	Electronic Fund Transfer
EPA	Economic Partnership Agreement
EPZ	Export Processing Zone
FOB	Free on Board
FTA	Free Trade Agreement
GATT	General Agreement on Tariff and Trade
HS	Harmonized Commodity Description and Coding System
IPR	Intellectual Property Right
MFN	Most Favored Nations
MRA	Mutual Recognition Agreement

NSW	National Single Window
PCT	Patent Cooperation Treaty
PWL	Priority Watch List
SBT	Specific Business Tax
TPP	Trans-Pacific Partnership
USTR	United States Trade Representative
VAP	Voluntary Audit Program
VAT	Value-added Tax
WCO	World Customs Organization
WIPO	World Intellectual Property Organization
WITS	World Integrated Trade Solution
WTO	World Trade Organization

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eBook on East Asia Customs Procedures

The Kingdom of Thailand

1. INTRODUCTION OF THAI CUSTOMS

The history of Thai Customs dates back to the 12th century BC and the new era of Thai Customs commenced in 19th century with the foundation of Customs Department in tax collection. Then the Customs business has expanded rapidly by establishing Customs central office and Customs regional houses. At present, Thai Customs administration is responsible for more than increasing national revenue by collecting tax and governing Thai international trade business.

Thai Customs serve to maintain sustainable development of Thailand's economy and international trade with Asian partners and worldwide countries. As a modern Customs system, Thai Customs aims to facilitate trade and promote national logistic system through its rudimentary management construction, as well as promoting national economy by Customs-related measures and international trade information enhancing border trade and global trade connectivity. Besides, Thai Customs protects and secures society through Customs control system with developing and applying sophisticated work process and ICT (Information and communication technology) facilitation. Furthermore, it acts to collect revenue in a fair, transparent and efficient manner based on good governance principle.

To fully serve above responsibilities, Thai Customs strictly follows the spirit of Integrity, Self-Esteem, Modernization, Innovation, Learning and Expert, strategizes its mission and targets, and develops human resources capacity and organizational management to achieve a comprehensive and effective Customs operation system.

1.1 Missions and Values

To become an excellent Customs service to achieve sustainable development of Thailand economy and global trade connectivity, the missions of Thai Customs are:

- Facilitate trade and promote national logistics system;
- Promote national economy by Customs-related measures and international trade information;
- Protect and secure society based on Customs control system;
- Collect revenue in a fair, transparent and efficient manner.

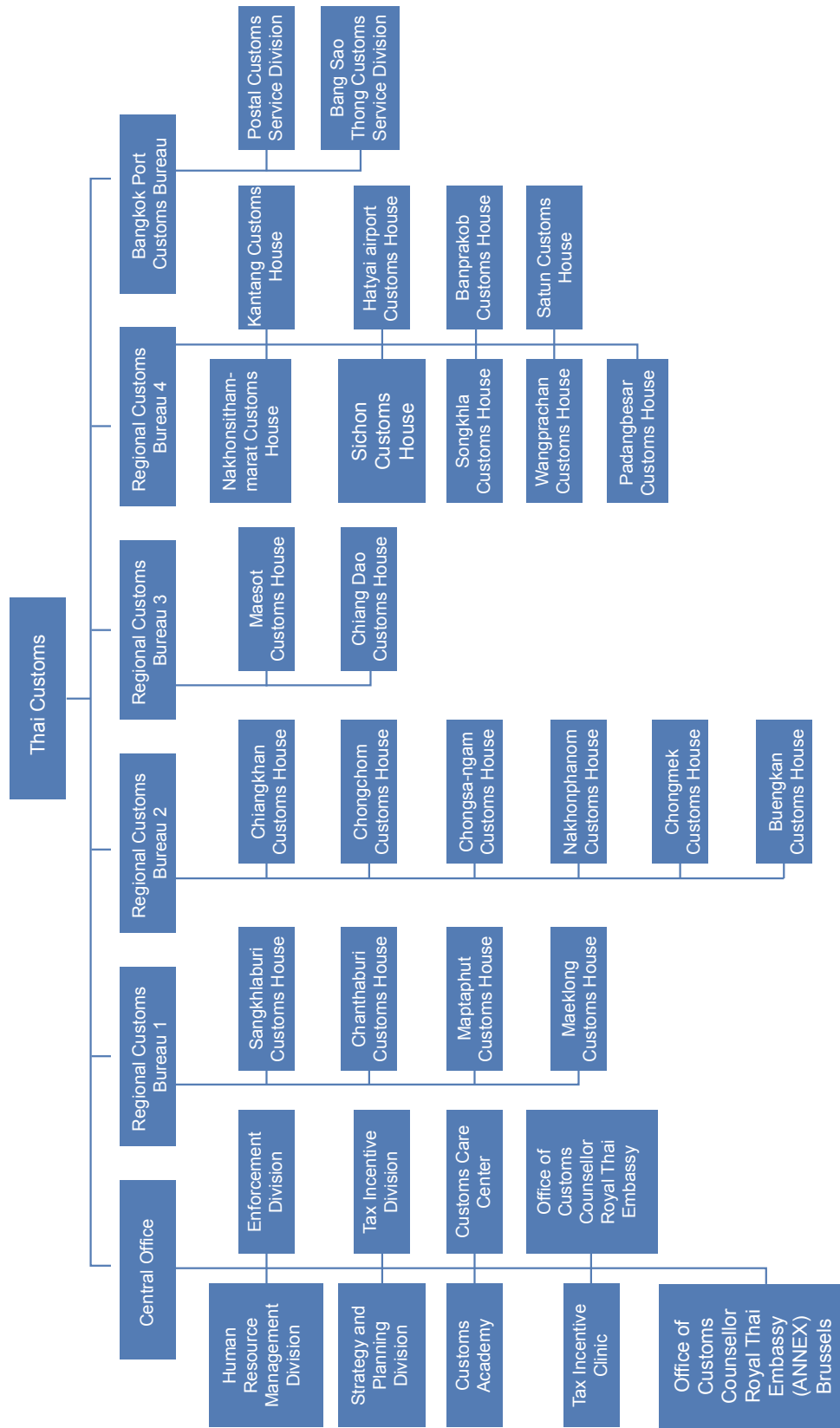
The Values of Thai Customs are as follows:

- I - Integrity;
- S - Service Mind/Self-Esteem;
- M - Modernization;
- I - Innovation;
- L - Learning;
- E - Expert.

1.2 Organization

Thai Customs current role is well run by a 4-dimensional Customs organization system in particular relating to global trade facilitation, control of the movement of goods and supply chain security. The Central Office provides general administrative support and services to the entire system, and there are 4 Regional Customs Bureaus acting as the divisions and supporting departments which are attached by local Customs Houses. There are totally 35 office headers leading each department with three officers based overseas respectively in Belgium and China. The main houses and departments are specifically figured as follows:

Figure 1 Thai Customs Organizational Chart



2. CUSTOMS LEGAL SYSTEM

In 2017, the government of Thailand published a new Customs Act 2017, repealing the outdated and controversial Customs Act 1926. This key act has heralded a new era in Customs and excise control in Thailand. With an aim to modernize Thailand's Customs law, the revised Act has significantly eased Customs procedure and brought transparency in the country's Customs law. The changes also included removing ambiguities present in the existing law and bringing it closer to the international best practices in line with Thailand's current free trade agreements. The agents and businesses involved in importing, exporting and the manufacturing of excisable goods in Thailand greatly benefited from the new Customs Act.

2.1 Customs Act

Customs Act 2017 is similar to the old one in terms of the basic commitments, while some changes and modifications will remove barriers for a smooth process of international trade. It contains 262 sections belonging to 9 chapters, respectively defining and regulating the general requirements for goods importation into and exportation out of Thailand. It is a guideline providing details to control the Customs process and guarantees to create a legible trade environment in Thailand. The main contents of the act are as follows:

- Chapter I General Provision
- Chapter II Collection of Duty
- Chapter III Importation and Exportation of Goods
- Chapter IV Transit, Transshipment and Un-Clearance Goods
- Chapter V Bonded Warehouse. Place of Security and Permitted Port
- Chapter VI Duty Free Zone
- Chapter VII Customs Office
- Chapter VIII Authorities of the Customs in Specific Areas
- Chapter IX Sanctions

Customs Act 2017 demonstrates notable changes in requirements for shipping marks, incentives and

rewards reductions to whistleblowers, clarification of Customs offenses and reduction of statutory penalties, elimination of liability presumptions, and the imposition of deadlines for post-clearance audits and appeals among others.

2.2 Other Related Laws and Regulations

In addition to the Customs Act 2017, specific Customs regulations are listed and stipulated in related Acts and regulations from authorities, which are included but not restrict to:

- The Ancient Monuments, Antiques, Objects of Art and National Museum Act stipulates that Buddha images, religious or ancient arts and antiques or objects of art, whether registered or not, must not be delivered without permission from the Director-General of Department of Fine Arts;
- Armament, Ammunition, Explosives, Fireworks and Imitation Firearms Act prohibits all persons from producing, buying, possessing, using, ordering or importing military hardware, Ammunition, or explosive devices unless with a license from the Ministry of Interior;
- Plant Quarantine Act prohibits certain items of importation, exceptions are permitted only for cases approved in advance by the Department of Agriculture for the purpose of experimentation or research only;
- Animal Epidemics Act stipulates no one may trade in elephants, horses, buffaloes, sheep, goats, pigs or other animals as prescribed in Ministerial Regulations or trade in carcasses as prescribed in Ministerial Regulations except upon obtaining a license from the registrar;
- Drug Act stipulates that in order to import a modern drug, one must obtain a license from the Food and Drug Administration. Ministry of Public Health and the application for and grant of a license shall be in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulation;
- Tobacco Products Control Act stipulates manufacturers and importers of tobacco products for sale in the Kingdom are required to report the quantity of such products manufactured or imported into the Kingdom annually and such reporting shall comply with rules, procedures, and conditions set out by the Minister;
- Minerals Act stipulates that types, conditions and quantities of minerals in respect of which a notification of the import into the Kingdom or a continental shelf zone or the export from the Kingdom or a continental shelf zone is required to be given;
- Cosmetics Act stipulates manufacture or import of cosmetics intended for export must provide the

Regulatory Body with complete details and must comply with the rules, procedures and conditions stipulated by the Secretary-General, approved by the Committee. and published in the Royal Thai Government Gazette.

Customs laws and regulations related to specific field have been launched and renewed by the Thai Government over decades, and the Acts contribute to controlling importation and exportation of special goods as well as easing international trade between Thailand and other trade partners.

Please click [here](#) for more details about Customs Act and the related Laws and Regulations.

3. CUSTOMS CLEARANCE PROCEDURES

Importation or exportation by land, sea, air and post must be under strict clearance procedures before any of the above goods from a Customs custody allowed into, out of Thailand. Importers and exporters should follow the Customs Act 2017 and other related regulations to process clearance procedure. The time and cost of both importing and exporting in Thailand is significantly lower than the average for neighboring countries in the East Asia and Pacific region. In recent years, import/export procedures have been streamlined further through the implementation of the online e-Customs system. This electronic system provides a one-stop service for all stakeholders in cross-border trade. Procedures such as issuing licenses and paying duties and taxes have been made paperless and can be completed using the central e-Customs system.

3.1 General Importing Procedures

General import Customs clearance procedures in Thailand require the submission of a Customs Declaration Form, which should be accompanied by standard shipping documents.

3.1.1 E-Customs Registration

As above mentioned, the procedures for importing goods into Thailand have been centralized into the

online e-Customs system. In order to register for the system, the importer must already possess a digital certificate. The digital certificate is an electronic signature file used to confirm the identity and authenticity of the documents.

Once a digital certificate is in place, the importer may proceed to register for the e-Customs system. Companies can choose to either register with the system directly or through an agent. For the latter option, the agent will handle the registration. When registering to use the e-Customs system directly, the following tasks are required:

- e-Customs software must be installed on the company IT system and digital certificates verified;
- the importer must register with Thai Customs at the Registration and Customs Privileges Sub-Division; Customs Procedures and Valuation Standard Bureau; or the General Administration Division at each Customs office;
- the accuracy and readiness of message exchange with e-Customs system must be tested.

Once tests are completed successfully, the Communication and IT Bureau will issue e-Customs registration ID.

3.1.2 Import Declaration

Before goods are declared, the importer or agent should identify that if goods require an import permit. A range of goods require import permits issued by different agencies prior to their arrival. A rundown of goods that require a permit can be found on the Customs website such as food products, pharmaceuticals, medical devices, healthcare products, cosmetics, hazardous substances, animals and some agricultural products. More, Thailand has already eliminated its requirement of a certificate of origin for information technology imports based on the WTO Information Technology Agreement. The government is working to integrate the permit application process into the e-Customs system; currently, around half of Thailand's government agencies allow electronic permit applications.

The first stage of import clearance procedure is to submit an Import Declaration Form manually or through the e-Customs. Besides, some more supporting documents should be attached to the Declaration Form to process the importation procedures:

- Bill of Lading or Air Waybill;

- Duplicates of Invoice;
- Packing List;
- Insurance Premium Invoice;
- Customs Release Form;
- Foreign Transaction Form if the import value exceeds 500.000 Baht;
- Import License (if applicable);
- Certificates of Origin (if applicable);
- Other relevant documents such as catalogues, product specifications, list of ingredients, technical standards certificates, etc.

3.1.3 Verification

Once all documentation is in order, an import declaration can be submitted to the e-Customs system along with an arrival report with the information of the carrying vessel. The e-Customs system will then automatically check and verify the submission, identifying any discrepancies and specifying whether the shipment is green line or red line. In addition, Customs tariff, tax and duty calculation, valuation of goods shall be examined at this stage.

3.1.4 Payment

The Customs Act and the Thai Customs Tariff Decree states that goods imported or brought into, exported, or taken out of the Kingdom shall be chargeable with and liable to duty. A number of items are exempt from import duties; a list can be found on the [Integrated Tariff Database](#). For dutiable goods, payment can be made at the Customs Department of the port of entry or via the e-Payment section of the e-Customs system. In Thailand, there currently are 4 means for payment of duties:

A. Payment at the Customs Department

Importers make payment at the Cashier Division at the port of entry. Payment could be made either in cash or cheque. In case of cheque payment, it must be issued by:

- the Bank of Thailand (BOT);
- Cashier cheque;

- Cheque with banks' surety bond;
- Draft or Bill of Exchange.

B. Electronic Fund Transfer via the BOT's BAHTNET

Importers have been allowed to instruct their commercial banks to transfer payment through the BAHTNET system to the Customs Department since January 1, 1998.

C. Electronic Payment at Krung Thai Bank (Teller Payment System)

The Customs Department and Krung Thai Bank have been interfaced since September 1, 2000.

D. Electronic Fund Transfer (EFT) via EDI

Under this automated system, the electronic payment is made among tax/duty payers, broker banks, Customs Banks and the Customs Department.

3.1.5 Cargo Release

Importers submit the verified declaration together with the payment receipt at appropriate warehouses. Customs inspectors then inspect the imported cargo against the declaration made. If the cargo inspected corresponds to the declaration made, the Customs inspectors will record the inspection result to the computer system and release cargo to importers. If there is a reasonable doubt, a Customs officer may detain the goods until it is proven no prohibited, restricted or unpaid goods are inside the cargo.

3.2 General Exporting Procedures

All goods exported from Thailand require reporting to Customs and are subject to Customs controls. Due to the automated nature of the e-Customs system, the export procedures are very similar to the outlined steps for importing goods.

3.2.1 E-Customs Registration

If companies are both importing and exporting goods from Thailand, only one registration on the e-Customs system is needed. See above 3.1.1 for the registration process.

3.2.2 Export Declaration

As with exports, checks need to be made for goods requiring an export permit and potential red line shipments. Currently, around 50 goods categories require an export permit. These include goods such as sugar and rice, which require a permit to maintain quality, and others including trees and seeds that require permits under other laws. Thai Customs provides a detailed overview of restricted goods.

The export procedures are very similar to the outlined steps for importing goods. The first stage of export clearance procedures is to file an Export Declaration Form as prescribed by the Customs manually or through the EDI system. Some other required attached documents are as follows:

- Duplicates of Invoice;
- Packing List;
- Foreign Transaction Form if the export value exceeds Baht 500,000;
- Export License (if applicable);
- Other relevant documents such as catalogues, product specifications, Food and Drug Administration approval, destination information, etc.

3.2.3 Verification

The exporter should submit an export declaration, along with an invoice and cargo data to the e-Customs system. Again, provided no errors exist, the system will issue declaration and payment numbers and define whether the shipment is green or red line.

3.2.4 Payment

Export duties can be paid by three methods: payment at Customs Department of port of exit; e-Payment via the e-Customs system; and payment at a bank.

3.2.5 Cargo Release

The freight forwarder should send a cargo control report to the e-Customs system, which will automatically generate a report and alert the Customs officials. As with imports, some goods require a physical inspection and extra document checks before they can be cleared. Finally, once the shipment arrives, it is

the responsibility of the shipping company or agent to submit the manifest information to the e-Customs system.

3.3 Special Procedures

3.3.1 Transit Procedures

According to Customs Act 2017, any person bringing in goods for transit or transshipment out of Thailand shall submit a declaration pursuant to forms and rules, procedures and conditions, to declare transit or transshipment goods, similar documents as importation or exportation are necessary to process the declaration. The goods for transit are not subject to a duty payment while such goods must be brought out Thailand within 30 days from their entry into Thailand. If the time period is not complied with the Act, such goods shall become properties of the state, or a Customs officer shall have a power to inspect or search such goods without a warrant.

3.3.2 ATA Carnet Imports

Thailand is a subscriber of the ATA Carnet System. Exhibitors participating in international trade fairs/ exhibitions in Thailand can use ATA Carnet for temporary admission of their exhibition goods into Thailand. Exhibition goods can be temporary imported into Thailand but must be re-exported within 2 months after the arrival date of exhibits. Any no-return items are subject to import duty and tax. In order to arrange Customs clearance, exhibitors or holders of ATA Carnet are requested to send a full set of ATA Carnet together with other shipping documents such as commercial invoice, packing list, catalogues of exhibits and letter of power of attorney.

3.3.3 Privileged Imports

Privileged goods are exempted from duty, in accordance with Thailand's obligations to the United Nations (UN) or international laws or contracts made with other countries or diplomatic practices. Documents required for privilege goods include:

- Invoice;
- Bill of Lading of Air Waybill;
- D.P.I. (entry form for diplomatic clearance of goods imported by diplomatic missions international organizations) issued by the Ministry of Foreign Affairs;

- Other documents (if any).

Customs clearance procedures are as follows:

- An importer should submit an application for duty exemption along with supporting documents at Duty Exemption and Investment Promotion Sub-Division, Central Service Division of Bangkok Port Customs Office or the port of entry;
- Customs officers consider the eligibility for the privilege of such goods and examine the documents submitted. If the documents are all correct, they will be returned to the importer;
- Importer or his/her agent prepares and submits import declaration data. Then, he or she presents the declaration form and the supporting documents at Customs Service Sub-division in order to pick up the imported goods.

For the goods under the Florence Agreement, the importer must submit an application for duty exemption at the Office of the Secretariat of the Thai National Commission for UNESCO, Ministry of Education for approval prior to the importation of such goods. Once the exemption is approved, Thai Customs will circulate the letter issued by the Thai National Commission for UNESCO to the port of entry to complete duty exemption for the importer.

3.3.4 Donation Imports

Donations goods are imported or exported for donation, public charity, which are carried out by public sector or charitable organizations or the goods imported to be given to the public sector, in accordance with the Administrative Law or that for charitable organizations, given that that they are in accordance with the rules and regulations. However, the “donations” do not include the following:

- Motor cars and motor vehicles for the transport of no more than nine persons including the driver, except for ambulances;
- Trucks in the type of van and pickup and similar motor vehicles with g.v.w. not exceeding five tons and such motor cars with g.v.w. exceeding five tons and compression-ignition internal combustion piston engine (diesel or semi-diesel) or those ignition with spark.

Government agencies or charitable organizations must submit an application for duty exemption to the Thai Customs prior to retrieving their goods from Customs custody. For the government agencies, eligible

organizations are those of the Department level or equivalent or higher level. The person signed in the application form must be Head of the organization or the authorized person. For the eligible charitable organizations are those specified under Revenue Code on VAT Exemption. The person who signed in the application form for duty exemption must be a person with the authority to sign as indicated in the Terms of Reference for the establishment of such charitable organization.

The government agencies/charitable organizations must submit an application form for duty exemption along with the following documents:

- A letter signed by the donor expressing his/her intention to donate the goods to a government agency or charitable organization (original copy);
- A response letter to the donation;
- Documents relating to the importation of goods such as AIR WAYBILL.

Once the Thai Customs Department has approved the duty exemption for the goods, the government agencies/charitable organizations must present the document indicating the grant of duty exemption to Duty Exemption and Investment Promotion Sub-Division at the port of entry to proceed with Customs procedure involved.

Documents required for the importation of the donation are as follows:

- Invoice;
- Bill of Lading of Air Waybill;
- Application Letter for Duty Exemption for the Donation as stated above;
- Other documents (if any) such as Power of Attorney.

Customs procedures for the importation of the donation are as follows:

- An importer presents an application form/request form for processing Customs formalities for the imported donation as well as the letter of the grant of Duty Exemption along with documents relating to the importation of such goods at Duty Exemption and Investment Promotion Sub-Division, Central Service Division of Bangkok Port Customs Office or the port of entry;
- Customs officers examine and return the documents to the importer;

- The importer or his/her agent submit import declaration data and present the import declaration form to Customs Service Sub-Division in order to retrieve the goods from Customs custody.

It is noted that the donation requiring an import permit for food prior to the importation and other donations may also require permits in accordance with their related laws.

4. ECUSTOMS AND NATIONAL SINGLE WINDOW

4.1 eCustoms

Thailand started implementing the electronic data interchange or EDI system for Customs clearance in 1998 and entered full operation nationwide in 2000. Migration from EDI service to electronic Customs service or e-Customs paperless service has been introduced since 2006 and has entered full operation nationwide since July 2008.

With the positive development of EDI, Thailand proceeds to the new generation of the Customs procedure, namely paperless system or e-Customs. As the name suggest, e-Customs is an Internet-based application and is now implemented into the ordinary import and export process. E-Customs contributes to re-engineering each system in the Customs Department by making it fully electronic, developing operation management and reducing many sophisticated processes. E-Customs system is more integrated and simplified. Under the e-Import system, there is no need for relevant parties to submit paper documents as all data is transmitted electronically from an importer computer system to a Customs computer system.

4.2 National Single Window

The government of Thailand assigned the Customs Department, Ministry of Finance to be a leading agency for the establishment of the National Single Window system with strong supports by relevant agencies in relation to import, export and logistics. This is in line with the ASEAN Agreement to establish and implement the ASEAN Single Window. Enhancement of e-Customs service for import and export as

well as improvement of relevant government agencies operation and services significantly enhance the international trade transaction.

The National Single Window of Thailand is in line with international organizations and recommendations such as UN, WCO and ASEAN Agreement for the ASEAN Single Window. Thailand National Single Window is the facilitator to enable electronic data and information sharing and integration between government to government partnerships (G2G), government to business partnerships (G2B) and business to business partnerships (B2B) for import, export and logistics. It also facilitates international cross-border data and information sharing between government and business sectors in Thailand and other countries. National Single Window system enables a single submission of electronic document by the trader such as a single data preparation and submission of Customs declaration and duty payment for Customs release and clearance.

Core components of Thailand National Single Window are as follows:

- National gateways for electronic document exchanged among government and business sectors in relation to import, export and logistics including international cross-border data and information sharing between Thailand and other countries;
- National standard data set for import, export and logistics sectors;
- Steering Committee on Quality Assurance for Thailand National Single Window;
- Registration system for electronic document sharing, single window entry, tracking and security service accessed by 35 government authorities and 125,000 Thai companies;
- Architectures of the National Single Window system, technical standards and relevant legal frameworks;
- Single window entry point for data capture of Customs declaration and permit required for import and export of goods;
- International cross-border data exchanged facilitator between Thai government authorities and other countries, such as the Customs Department, Live-Stock Department, Department of Agriculture, Department of Foreign Trade, Department of Industrial Work and Thai Chamber of Commerce;
- International cross-border data exchanged facilitator between Thai businesses and their business partners in oversea;
- Call center available 24x7;

- National Action Plan for Thailand National Single Window enhancement.

Currently, by data linking, agencies are able to reduce the cost for secured data linkage of relevant agencies, enable all transaction monitoring through NSW, harmonized the standard of data linkage for relevant agencies and exchange any data between any agencies through NSW. With incentives to drive the development of NSW at the policy level, management level and operational level, magnificent progress has been achieved in recent years. E-payment and electronic goods transition via NSW have been widely promoted and single entry for special trade goods has been implemented. To further the development of Thailand NSW, strategic plans have been brought by the government, the 3rd plan for Thailand logistics from 2017 to 2021 is in practice.

According to the cabinet resolution on December 6, 2005, the establishment of National Single Window or the centralized national data linkage system is under the administration of the Thai Customs Department as the leading government agency. The cooperation of other relevant agencies involving in the import, export and logistics are important to achieve the ultimate goal of National Single Window implementation in order to strengthen the competitiveness on international trade. Since 2014, the government agencies and business communities are collaborating to conduct the permit and license-issuing procedure in order to purposefully facilitate the import, export and logistics.

The status of the data linkage through NSW for the participating agencies is given below and 27 agencies are having the completed data linkage electronically for any kinds of goods or any types of documents in order to use for the Customs formalities, namely:

- Thai Customs Department;
- Department of Industrial Works;
- Department of Mineral Resources;
- Department of Disease Control;
- Royal Forest Department;
- The Board of Investment of Thailand;
- Department of Medical Sciences;
- Office of The National Broadcasting and Telecommunications Commission;
- Department of Primary Industries and Mines;

- Department of Mineral Fuels;
- Department of National Parks, Wildlife and Plant Conservation;
- Department of Land Transport;
- Marine Department;
- Rubber Authority of Thailand;
- Port Authority of Thailand;
- Industrial Estate Authority of Thailand;
- Electrical and Electronics Institute;
- Office of The Cane and Sugar Board;
- National Bureau of Agricultural Commodity and Food Standards;
- Department of Internal Trade;
- Excise Department;
- Thai Industrial Standards Institute;
- Food and Drug Administration;
- Office of Atoms for Peace;
- Department of Energy Business;
- Fine Arts Department;
- Department of Fisheries.

5 agencies are having the data linkage electronically for some kinds of goods in order to use for the Customs formalities, namely:

- Defense Industry Department;
- Department of Agriculture;
- Department of Provincial Administration;
- Department of Foreign trade;
- Department of Livestock Development.

1 agency is having the data linkage electronically with paper-based documents in order to use for the Customs formalities, namely:

- Thai Chamber of Commerce and Board of Trade of Thailand.

5. CUSTOMS BROKERAGE SERVICE

Any person wishing to be authorized agent/broker of an importer, an exporter or a transit or transshipment operator shall be granted a permission, which means the licensed Customs broker system is a measure to facilitate import and export procedures. Under this particular system, experienced and knowledgeable licensed Customs broker is allowed to involve in verifying the operation of Customs procedures.

There are altogether three Customs broker license categories: corporate, sole trader, and nominee.

Corporate: a company or a partnership licensed to act on behalf of owners of imported goods. A corporate Customs broker must employ nominee Customs brokers to lodge Customs declarations.

Sole Trader: a sole proprietor of a business operating in its own right and not through a company or partnership or trust. A sole trader may employ one or more nominee Customs brokers. A sole trader cannot be employed by a corporate Customs broker but can be affiliated with other businesses such as freight forwarders.

Nominee: a natural person licensed to act as a Customs broker but only as an employee of a corporate or a sole trader Customs brokerage. A nominee may be employed by more than one corporate or sole trader brokerage at any time.

In Thailand, the Customs Broker companies enable to serve the imports and exporter regardless the type of transport, commodity, personal belongings or vehicles within rich logistics services, including air freight, trucking, rail freight, warehousing, etc.

An eligible broker should be:

- A legal person with a paid register capital of not less than 1 Million Baht;
- A member of Customs broker association which is certified by Customs for not less than 3 years;
- No past record of any offence against the Customs or any other related laws for a period of 3 years from the date of filing an application;
- A Customs broker license has never revoked by Customs;
- Be able to process Customs procedures via an automated system;
- Employ at least 1 Customs broker who attends the training course on expert Customs broker organized by Thai Customs.

The licensed Customs brokers have their duties as follows:

- Strictly comply with the Customs law and other laws, notifications and regulations;
- Undertake Customs procedure in clearance of goods with transparent manner and shall inform of the expenses paid by laws or notifications or regulations together with brokerage charges;
- Perform task in clearance of goods in skillful and professional manner by recruiting persons having knowledge, ability and skill in clearance of goods to undertake their Customs brokers' tasks;
- Improve their knowledge, ability and skill by taking the training courses, concerning the clearance of goods organized by Customs Training Institute or other Customs-certified institutes, not less than 3 days/year;
- Submit, within five months after the date of closing account of juristic person, a copy of the financial statement to the Customs in every accounting year;
- Store and maintain the accounts, documents, evidences and information in relation to import and/or export and in regardless of forms of media, not less than five years;
- Cooperate and facilitate the competent officers' operation in examining the workplace or any other relevant places with the aim to verify the accounts, evidences and information in regardless of forms of media in relation to import and/or export.

6. CUSTOMS SECURITY OR GUARANTEE

6.1 Security for Payment of Duty

Before the release of any goods from the custody of the Customs, the importer or exporter may offer the full amount of duty or deposited cash security. The application for depositing cash security shall be in accordance with the laws and regulations. Thus, it means cash or other securities shall be required as a guarantee for the payment of duty.

In case where a competent official considers that there is a question on the amount of duty of any goods which are clearing through Customs, such goods shall be taken to the Customs House or placed in any secure place, unless the competent official and the owner of the goods or his agent agree that only a sample shall be taken for determination of the question. In order to safeguard the revenue of the State, the amount of duty declared in the shipment entry by the importer or exporter, as the case may be, shall be paid and an additional sum of money covering the maximum duty payable on such goods shall be deposited as security.

Where a security is given, as the case may be, the importer or exporter shall pay the duty in the amount notified within thirty days as from the date of receiving the notice. In the case of the cash security given is sufficient to cover the amount of duty assessed by the competent official, such cash security shall immediately be applicable to the payment of the assessed amount of duty, and the importer or exporter shall be deemed to have paid the notified amount or duty within the period specified.

6.2 Guarantee of ASEAN Customs Transit System (ACTS)

To initiate a transit declaration, the principal must first lodge the required guarantee undertaking with the Customs office of guarantee in the country of departure for duties and taxes potentially liable for the declared transit goods. The guarantee is an amount held by or available to Customs if the terms of the transit approval are not met, such as the loss or improper diversion of the goods. The amount of guarantee is a calculation of the highest rates of duty/taxes potentially payable on those goods (with rates based on AHTN commodity code) in the countries of intended transit.

The amount of guarantee for the transit operation is held by Customs in the country of departure until released upon notice of discharge (satisfactory termination) of the transit movement. The guarantee

undertaking letter will have to be issued by a legal person, such as a bank, which undertakes to pay the duties and taxes that will be due if a transit document is not discharged properly and the principal trader is not able to pay for the duties and taxes due to Customs. For the purposes of the implementation of the ACTS Pilot only guarantees issued by a bank will be recognized.

Guarantors must be established in and approved by the Customs in the country where the guarantee is furnished. Depending on the need of the registered traders, the trader can use single or multiple journey guarantees to support the transit movement. In Thailand, Krungthai Bank, Krungsri Bank, Kasikorn Bank, and TMB Bank are the banks issuing Guarantee Undertaking Letter for transit operations. Please see [Quick Guide to the ASEAN Customs Transit System \(ACTS\) for Banks acting as Guarantors](#) for more details.

7. PROHIBITIONS AND RESTRICTIONS

The Thai Customs regulates the importation and exportation of goods coming into and exiting Thailand. Within these regulations there are classes of goods which are heavily scrutinized. One class of products are prohibited from entering Thailand under any circumstances and another class of products are restricted from entering Thailand without permission.

7.1 Prohibited Goods

The following are some examples of prohibited goods listed by the Thai Customs:

- Narcotics;
- Pornographic materials;
- Counterfeit trademark goods and IPR infringing goods;
- Fake notes or coins;
- Reserved animals or CITES-listed wildlife;

- Obscene objects/literature/pictures;
- Obscene literature and pornographic materials;
- Goods with an improper Thai flag design;
- Any habits forming narcotics such as marijuana, opium, cocaine, morphine, heroin, and other drugs are considered banned even if they have been prescribed by a doctor.

In addition, imports of used motorcycles and parts, household refrigerators using CFCs, refurbished medical devices, gaming machines, and computer peripherals are prohibited.

7.2 Restricted Goods

Restricted goods are restricted by law from related government or agencies. The permits must be presented during Customs formalities. Examples of Restricted goods listed by the Thai Customs are as follows:

Table 1 Restricted Goods and Its Issuing Authorities

Types of Goods	Issuing Authorities
Buddha image, artifact/objects, antique	Fine Arts Department
Guns, bullets, explosives, and the equivalents to guns	Department of Provincial Administration. Ministry of Interior
Plants and their parts	Department of Agriculture
Living animals and carcass	Department of Livestock Development
Food, medicine, cosmetics and food supplement	Food and Drug Administration
Vehicle parts	Ministry of Industry
Cigarettes, tobacco and alcoholic beverages	Excise Department
Communication Radio Devices and telecommunications equipment	Office of The National Broadcasting and Telecommunications Commission

Source: Thai Customs.

8. CUSTOMS DUTIES AND TAXES

In Thailand, Customs duty is levied in accordance with the Harmonized Commodity Description and Coding System or Harmonized System (HS). Thailand has adopted the Protocol Governing the Implementation of the ASEAN Harmonized Tariff Nomenclature (the AHTN Protocol) to harmonize the tariff nomenclature at the eight-digit level. Most tariffs are ad valorem, which is a duty laid upon goods at a certain rate of their value, which means the follow values:

- For importation, means a transaction value, or a transaction value of identical goods, or a transaction value of similar goods, or a deductive value, or a computed value, or a reversed value;
- For exportation, means the wholesale cash value for the sale of goods of the same category and type without loss at the time and place of the exportation without any deduction or reduction in the price;
- For releasing goods out of a duty free zone or a free trade area or any other similar area to be sued or sold in Thailand.

In certain cases, however, both ad valorem and a specific rate (e.g. a rate charged on a unit of goods) are given, and the tariff that gives the most revenue will apply. In general, the invoice price is the basis for computation of duty and normally applied to cost, insurance and freight (CIF) value for import and free on board (FOB) for export.

8.1 Import Duty

Generally, these duties levied on any imported goods before releasing them from the custody of Customs, except for goods receiving specific privilege that qualifies according to the law, whereby their duties are reduced or waived. There are three types of duties that any importer has to pay before the imported goods are released from the custody of Customs: Customs Import Duties with an ad valorem rate, Excise Tax and Value Added Tax (VAT).

8.1.1 Import Duties and Taxes

The applicable rates are dependent on the origin of the goods and a Certificate of Origin will need to be presented. There are three applicable categories of import tariffs:

- Special preferential rates – applicable if there is a trade arrangement in place (e.g. ASEAN member states). Thailand has eliminated intra-ASEAN import duties on 99.65% of their tariff lines;
- Preferential rates – applicable if the country has a Most Favored Nation (MFN) status with Thailand;
- Ordinary rates – applicable for any other country. There are six duty rates for imported goods, excluding vehicles which have special rates:
 - 0% for goods that government policy provides not to collect duties
 - 1% for raw materials
 - 5% for primary products and capital goods
 - 10% for intermediate products
 - 20% for finished products
 - 30% for government protected goods

Thailand's average applied Most Favored Nation (MFN) tariff rate was 9.6% ad valorem in 2018. Approximately two-third of Thailand's MFN tariff schedule involves duties of less than 5%, and 40% of tariff lines are MFN duty free, including chemicals, electronics, industrial machinery, and paper. Thailand has bound all tariffs on agricultural products in the WTO, but only around 70% of its tariff lines on industrial products are bound.

Thailand has bound its agricultural tariffs at an average of 39.5% ad valorem, compared with its average applied MFN tariff on agricultural products of 25.1%. MFN duties on imported processed food products range from 30% to 50%. Tariffs on meats, fresh fruits (including citrus fruit and table grapes) and vegetables, fresh cheese, and pulses (such as dry peas, lentils, and chickpeas) are similarly high.

Thailand's average bound tariff for non-agricultural products is approximately 25.6%. Thailand levies high tariffs on goods such as: 80% on motor vehicles, 60% on motorcycles and certain clothing products, 54% to 60% on distilled spirits, and 30% on certain articles of plastic and restaurant equipment. Further, the country charges tariffs of 10% to 30% on certain audiovisual products, and applies a 10% tariff on most pharmaceutical products, including products on the World Health Organization list of essential medicines.

Thailand maintains the same list of tariff-rate-quota (TRQ) from its commitments under WTO agreement on agriculture since 2004. Thailand imposes domestic purchase requirements for several tariff-rate quota products, including nonfat dry milk, soybeans, soybean meal, and fresh potatoes.

Table 2 Import Tariff of Thailand 2018

Summary	Total			Ag			Non-Ag		
	9.6			24.0			7.3		
Frequency distribution	free	0-5	5-10	10-15	15-25	25-50	50-100	> 100	NAV
	Tariff lines and import values (in %)								
Ag MFN applied	12.4	14.4	9.9	0.7	11.5	42.1	8.0	0.6	31.8
Non-ag MFN applied	40.5	27.2	17.3	0.1	5.0	9.4	0.5	0.1	6.4
Product groups	MFN applied duties								
	AVG			Duty-free in %			Max		
Animal products	29.0			9.2			50		
Dairy products	27.3			0			40		
Fruit, vegetables, plants	34.1			4.3			163		
Coffee, tea	29.4			12.5			60		
Cereals & preparations	17.8			12.2			60		
Oilseeds, fats & oils	13.4			0.2			30		
Sugars and confectionery	17.4			5.9			65		
Beverages & tobacco	44.8			2.0			181		
Cotton	0.0			100.0			0		
Other agricultural products	7.8			38.4			30		
Fish & fish products	9.2			36.9			116		
Minerals & metals	4.9			47.2			30		
Petroleum	5.6			19.8			10		
Chemicals	2.6			67.3			30		
Wood, paper, etc.	5.8			32.8			20		
Textiles	8.4			2.9			30		
Clothing	29.6			0			60		
Leather, footwear, etc.	11.3			10.9			30		
Non-electrical machinery	3.0			65.2			30		
Electrical machinery	7.0			38.1			30		
Transport equipment	22.8			32.2			80		
Manufactures, n.e.s.	9.2			30.6			549		

Source: WTO Statistics.

8.1.2 Value Added Tax (VAT)

An importer is subject to VAT in Thailand no matter whether one is a registered person or not, VAT will be collected by the Customs at the time goods are imported. Currently, the rate is 7 percent. Under VAT, taxable goods mean all types of property, tangible or intangible, whether they are available for sales, for own use, or for any other purposes. It also includes any types of articles imported into Thailand. Services refer to any activities conducted for the benefits of a person or an entity, which are not the supply in terms of goods.

The following imports are exempted from VAT:

- Import of unprocessed agricultural products and related goods such as fertilizers, animal feeds, pesticides, etc.;
- Import of newspapers, magazines, and textbooks;
- Goods imported into an Export Processing Zones (EPZs);
- Imported goods that are kept under the supervision of the Customs which will be re-exported and be entitled to a refund for import duties.

8.1.3 Excise Tax

Excise tax is a form of consumption tax that is imposed on the sales of a selected range of services and goods that are considered luxuries. The tax liability arises on locally manufactured goods when leaving the factory and at the time of importation for imported goods.

- Excise tax payable = $(CIF+ID) \times ((ETR) / (1 - (1.1 \times ETR)))$

ETR: Excise tax rate %

ID: Amount of imported duty

Table 3 Excise Tax in Thailand

Product	Excise Tax Rate (%. except where stated)
Petroleum and petroleum products	0 to 36
Certain non-alcoholic beverages	0 to 25

Product	Excise Tax Rate (%. except where stated)
Certain electrical appliances	0 to 15
Perfume products and cosmetics	0 to 15
Alcoholic beverages	0 to 48 ad valorem rate and specific rate at BAHT 0 to BAHT 1.000 per liter per 100 degree or BAHT 0 to BAHT 225 per liter (whichever is higher) and Baht 3 per each excess degree
Cigarettes containing tobacco	10 to 87
Woolen carpets	0 to 20
Batteries	5 to 10
Playing cards	BAHT 2/100 cards or BAHT 30/100 cards
Ozone depleting substances, chlorofluorocarbons	0 to 30

Source: Thailand Customs.

8.2 Export Duty

There are only two items of exported goods that have to pay duties: raw hide; wood, sawn wood, and articles made of wood:

- 5 baht/kg for raw hide;
- 40% for wood, sawn wood, and articles made of wood.

8.3 Duty Refund

Under the new Customs Act 2017, the importers or exporters may claim a duty refund within three years from the date of shipment. If criteria listed below are fulfilled, the import duty shall be returned as drawback to the importer:

- A duty has been exceedingly paid, an importer or an exporter shall claim a request within 3 years from the date of importation or exportation;
- A duty had been paid for goods to be exported out of Thailand, but the goods were not exported yet;

- A paid duty or a cash security is to be refunded due to an excess collection of either full or additional amount payable, a refund shall be made together with an interest at the rate of 0.625% per month;
- Goods are re-exported out of Thailand or are departing from Thailand, the importer shall have a right to request for a duty refund at the amount of 9/10 or the excess of 1000 Baht;
- Imported or transferred goods for the purpose of production, mix, assembly, packing, or processing of goods are paid a duty, if the goods are exported out of Thailand.

8.4 Duty Exemption

8.4.1 Criteria for Duty Exemption

Only goods under the following agreement or laws are subject to duty exemption, and restrict criteria are as follows:

- Agreements with the United Nations and Diplomatic Missions;
- Agreements under Technical Assistance Cooperation Programs between Foreign Donors and the Thai Government;
- Laws of which certain provisions require that tax and duty free allowance is applied to imports;
- Tax and duty free granted for privileged goods is exclusively for the agencies or staff members of the entitled organizations only;
- The importation of personal motor cars under the diplomatic missions. Agreements with international organizations and technical assistance cooperation programs.
- F. some other circumstances.

8.4.2 Documents Required for Duty Exemption

The following documents are required by for duty exemption application:

- A. Invoice;
- Bill of Lading of Air Waybill;
- D.P.I. (Entry Form for Diplomatic Clearance of Goods Imported by Diplomatic Missions International

Organizations) issued by the Ministry of Foreign Affairs, or agreement(s) on Technical Assistance Cooperation Programs between Foreign Donors and the Thai Government, or result of consideration indicating duty exemption for such goods;

- Other documents (if any).

8.4.3 Procedures for Duty Exemption

An importer submits an application for duty exemption along with supporting documents at Duty Exemption and Investment Promotion Sub-Division, Central Service Division of Bangkok Port Customs Office or the port of entry.

Customs officers consider the eligibility for the privilege of such goods and examine the documents submitted. If the documents are all correct, they will be returned to the importer.

The importer or his/her agent prepares and submits import declaration data. Then, he or she presents the declaration form and the supporting documents at Customs Service Sub-division in order to pick up the imported goods. For goods under the Florence Agreement, the importer must submit an application for duty exemption at the Office of the Secretariat of the Thai National Commission for UNESCO, Ministry of Education for approval prior to the importation of such goods. Once the exemption is approved, Thai Customs will circulate the letter issued by the Thai National Commission for UNESCO to the port of entry to complete duty exemption for the importer.

9. TARIFF CLASSIFICATION

The current Customs Tariff of Thailand is based on the WCO's HS Convention. In implementing its obligations, Thailand has adopted and incorporated into its national tariff system of the core Harmonized System. The harmonized tariff schedule of Thailand is enforced under the Customs Tariff Decree that came into force on January 1, 1988. It replaced the Customs Co-operation Council Nomenclature (CCCN) which had been adopted since 1960.

As one of the ASEAN member countries, Thailand has also adopted the Protocol Governing the Implementation of the ASEAN Harmonized Tariff Nomenclature (the AHTN Protocol) to harmonize the tariff nomenclature at the eight-digit level. It adheres to the six-digit commodity classification code of the HS Code of WCO but adds two digits or level codes that represent ASEAN subheadings.

The HS code of goods in Thailand is an 11-digit code. The first 8-digits are known as the ASEAN Harmonized Tariff Nomenclature (AHTN) code. The AHTN is harmonized at the 8-digit level across all ASEAN member countries. The final 3-digits are used in Thailand to further define specific types of goods that are subject to import/export controls, such as permits or licenses.

Under the new Customs Act, the Customs Department also offers the following facilities to operators with:

- **HS Codes Verification**

The Thai Customs Department has created a mobile application HS Check, which makes available precedent rulings on HS codes verification to operators for preliminary reference when determining HS codes for their products;

- **HS Codes Consultation**

The option to request for HS codes confirmation prior to importation is still available.

10. CUSTOMS VALUATION

As international trade in goods grows rapidly and the transaction becomes more complex both in terms of production and parties involving in supply chain, the Customs Valuation has also grown in importance in order to secure revenues with predictable and transparent manner. A Ministerial Regulation No.132 B.E. 2543, which is based on the principles of the Agreement on the Implementation of Article VII of the WTO, provides six methods for the valuation of imports and exports.

Transaction Value Method

The primary basis for valuation is the Transaction Value which means the price actually paid or payable for the goods when sold for export to Thailand, adjusted in accordance with the Ministerial Regulation.

- Transaction Value = Price Actually Paid or Payable + Adjustment

Transaction Value of Identical Goods Method

If the Transaction Value Method cannot be applied, the Customs Value of the imported goods is determined with the Transaction Value of identical goods that meets following requirements. When it comes to Identical Goods, it means Identical in all respects, to the imported goods being valued:

- Physical characteristics;
- Quality and reputation;
- Produced in the same country.

Identical goods should be sold to export to Thailand at or the approximate time, have been accepted as the Customs Value at the same commercial level and quantity. If more than one Transaction Value of identical goods is found, the lowest such value shall be used. Identical Goods do not include the Transaction Value which includes the value of engineering, development, artwork, design work, and plans and sketches undertaken elsewhere than in Thailand.

Transaction Value of Similar Goods Method

Similar goods are not identical in all respects but, they:

- have like characteristics and like component materials;
- perform same functions and commercially interchangeable;
- are produced in the same country.

Similar goods are sold to export to Thailand at or the approximate time as the imported goods, has been accepted as the Customs Value at the same commercial level and quantity. If more than one Transaction Value of similar goods is found, the lowest such value shall be used. Similar Goods do not include the Transaction Value, which includes the value of engineering, development, artwork, design work, and plans and sketches undertaken elsewhere than in Thailand.

Deductive Value Method

The Deductive Value starts from the resale price of the imported goods or identical goods or similar goods in Thailand and deducts the following elements. If the importer requests a reversal and Customs approves, the Computed Value Method comes first.

To use the unit price of imported goods at which the goods are sold in the greatest aggregate quantity at or about the same time of importation. If the unit price for resale of the imported goods is not available, the resale price of identical or similar goods shall be used.

Computed Value Method

The value is applied to determine the Customs value based on the sum of production:

- The cost or value of materials and fabrication or other processing employed in producing the imported goods;
- An amount for profit and general expenses usually reflected in sales of goods of the same class or kind as the goods being valued;
- The cost of containers;
- The cost of packing whether for labor or materials for the imported goods;
- The cost of materials and components specified as the assist;
- The cost of insurance and transportation of the imported goods;
- Engineering, development, artwork, design work, and plans and sketches undertaken in Thailand necessary for production of the imported goods where these elements are charged to the producers.

Fallback Method

The value is applied to determine Customs value based on the reasonable and flexible interpretation of all the previous methods.

11. RULES OF ORIGIN

Rules of origin (ROO) are used to implement measures and instruments of commercial policy such as anti-dumping duties and safeguard measures, and to determine whether imported products shall receive MFN treatment or preferential treatment. The rules of origin are also for the purpose of trade statistics, the application of labeling and marking requirements for government procurement.

11.1 Preferential Rules of Origin

Thailand does not formulate preferential rules of origin (ROO) for exports but merely implements the rules as applicable (GSP, GSTP, ASEAN PTA and CEPT). As it is not necessary to include ROO relating to the GSP as these are part of the UNCTAD booklet on GSP, the information on ROO of GSTP and ASEAN PTA and CEPT can be expressed in brief and simple terms as follows.

First, the value-added criterion is employed as the basis of the substantial transformation test under the preferential system of GSTP and ASEAN PTA and CEPT. The GSTP (Global System of Trade Preferences) is employed among developing countries and least developed countries of the Group of 77. ASEAN PTA (Preferential Trading Arrangements) and CEPT (Common Effective Preferential Tariff) are employed among ASEAN member countries.

Second, the same value-added basis is applied in GSTP and ASEAN PTA and CEPT. There are a few minor differences as follows:

- GSTP is employed among developing countries and least developed countries of the Group of 77, while ASEAN PTA and CEPT are employed among ASEAN member countries;
- Under the GSTP, a product is deemed to originate from the exporting country of the Group of 77 if at least 50 percent of its content originates from that exporting country. The 50 percent local content requirement refers to a single country and 60 percent local content requirement refers to cumulative GSTP content;
- Under ASEAN PTA and CEPT, a product is considered to originate from ASEAN member countries if at least 40 percent of its contents originates from any ASEAN member countries. The 40 percent local content requirement refers to both single country and cumulative ASEAN content.

Thailand's preferential rates of duty are applied for GSTP and ASEAN PTA and CEPT imports. Thus, goods imported and not entitled to preference will pay the normal or general rate of duty. The Department of Foreign Trade, Ministry of Commerce is responsible for the issue of Certificates of Origin for a product exported under GSP, GSTP, ASEAN PTA and CEPT and is responsible for the assessment of the origin of that product before exporting. Invoice together with other documents of exportation such as Air Waybill and Bill of Lading, are used for the application of Certificates of Origin for the exports.

11.2 General Rules of Origin

Goods originating in a preference country may be divided into two categories as follows.

11.2.1 Wholly Obtained Goods

These goods are entirely grown, extracted from the soil or harvested within the exporting country or manufactured there exclusively from any of these products.

11.2.2 Goods Partly Manufactured

There are two conditions to preference entitlement for goods partly manufactured in the preference country as follows:

- The last process of manufacture must be performed by the manufacturer in the preference receiving country and;
- Not less than 50 percent of the value of the exported product must be made up of local content for single country content and not less than 60 percent for cumulative content under the GSTP scheme and not less than 40 percent of the value of the exported product must be made up of local content for both single country and cumulative content under ASEAN PTA and CEPT schemes.

11.2.3 Direct Shipment Provisions

Direct shipment is required by GSTP, ASEAN PTA and CEPT.

12. ADVANCE RULING

When making business decisions about future imports, the advance ruling service provided by Thai Customs may be of assistance. The advance ruling is an advice provided by Thai Customs upon the written application by a business operator. The ruling outlines how Customs applies provision of existing laws and regulations concerning national tariff nomenclature to a specific commodity.

12.1 Types of Advance Ruling

Any person desiring to know a Customs value, an origin of goods, or a Customs tariff may submit a request for an advance ruling on the following matters:

- **Customs Valuation**

Advance Ruling on Customs value will be issued within 60 official days or 30 official days if applicants have any documents representing that goods are planned to be imported such as a purchase order, a sales contract, an invoice, a letter of credit (L/C) or a pro forma invoice, the advance ruling will be valid for 2 years.

- **Origin of Goods**

Advance Ruling on origin of goods to be imported into Thailand under the rules of origin prescribed in a treaty or an international agreement is provided for ones who want to know Customs price criteria of goods before importing into Thailand, to be issued within 30 official days, the advance ruling will be valid for 2 years.

- **Tariff Classification**

Advance Ruling on tariff classification is the Interpretation of a Customs tariff under the law on Customs tariff in order to categorize goods by a corresponding Customs tariff and will be issued within 30 official days and will be valid for 2 years.

12.2 Application for Advance Ruling

An application for an advance ruling must be submitted in prescribed form at least 30 official days

before the proposed date of importation of the goods. In addition, the application should contain all the information required by Thai Customs. Failure to provide all the necessary information may result in a delay or inability to issue or nullification of the advance tariff ruling.

Each application shall be restricted to a single product and accompanied by the documents listed below:

- Supporting documents which indicate the intention to import the inquired product;
- A full description of goods as necessary for making tariff decision together with other supporting documents such as trade name/brand, specific characteristics of goods, composition of goods, etc.

The application submitted must be in Thai and must be signed by a managing director or an authorized person. If the information provided is inadequate for advance ruling, the applicants shall submit additional information within 15 official days from the date that the applicants receive a letter from Thai Customs. When additional information is requested by Thai Customs, the standard time of 30 official days or 60 official days for issuing the advance ruling will commence after the receipt of addition information.

13. FREE TRADE AGREEMENTS

Thailand joined WTO in 1995 and has implemented bilateral trade agreements with various countries. Thailand is also a member of ASEAN which was established in 1967 and the ASEAN also implemented a number of FTAs with its trading partners. The latest and the largest FTA, the Regional Comprehensive Economic Partnership (RCEP) is now being negotiated between the 10 ASEAN members and its 6 trading partners, namely Australia, China, India, Korea, Japan and New Zealand with a view to expand the economic cooperation.

In addition, several FTAs among Thailand and other countries or regions are listed as follows:

ASEAN-Australia and New Zealand Free Trade Agreement (AANZFTA)

Thailand is the original member state of the AANZFTA. The AANZFTA is a comprehensive and single-

undertaking free trade agreement that opens up and creates new opportunities for approximately 663 million peoples of ASEAN, Australia and New Zealand - a region with a combined Gross Domestic Product of approximately USD 4 trillion as of 2016. In line with the ASEAN Community Vision 2025, the AANZFTA aims for sustainable economic growth in the region by providing a more liberal, facilitative and transparent market and investment regimes among the twelve signatories to the Agreement.

ASEAN- China Free Trade Agreement (ACFTA)

Thailand is the original member state of the ACFTA. The ASEAN–China Free Trade Area, also known as China–ASEAN Free Trade Area is a free trade area among the ten member states of ASEAN and the People's Republic of China.

ASEAN-Hong Kong, China Free Trade Agreement (AHKFTA)

Under the AHKFTA, Hong Kong will grant tariff free access and will bind Customs duties at zero upon entry into force of the agreement. Brunei Darussalam, Malaysia, the Philippines and Thailand will eliminate Customs duties on 85% of products traded with Hong Kong within ten years and reduce another 10% of tariff lines within 14 years. Indonesia and Vietnam will eliminate Customs duties for 75% of their products within ten years and reduce another 10% of tariff lines within 14 years. Meanwhile, Cambodia, Lao PDR and Myanmar will eliminate Customs duties for 65% of their products within 15 years and reduce another 20% of tariff lines within 20 years.

ASEAN-India Free Trade Agreement (AIFTA)

Thailand is the original member state of the AIFTA. The ASEAN–India Free Trade Agreement (AIFTA) is a free trade area among the ten member states of the Association of Southeast Asian Nations (ASEAN) and India. In the financial year 2017-18, Indo-ASEAN bilateral trade grew by almost 14%.

ASEAN-Japan Comprehensive Economic Partnership (AJCEP)

Thailand is the original member state of the AJCEP. The Initiative for Japan-ASEAN Comprehensive Economic Partnership can be materialized only if the trade creation can be significantly achieved among Japan-ASEAN.

ASEAN-Republic of Korea Comprehensive Economic Cooperation Agreement

The ASEAN member states and the Republic of Korea signed the framework agreement on Comprehensive Economic Cooperation on December 13, 2005 in Kuala Lumpur, Malaysia to strengthen and enhance economic, trade and investment cooperation among ASEAN member states and the Republic of Korea.

ASEAN Free Trade Area (AFTA)

The AFTA agreement was signed on January 28, 1992 in Singapore. When the AFTA agreement was originally signed, ASEAN had six members, namely Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand. Vietnam joined in 1995, Laos and Myanmar in 1997 and Cambodia in 1999. AFTA now comprises the ten countries of ASEAN. All the four latecomers were required to sign the AFTA agreement to join ASEAN, but were given longer time frames in which to meet AFTA's tariff reduction obligations.

China-Thailand Free Trade Agreement

The China-Thailand FTA was signed in June 2003 and came into effect four months later in October 2003. It is an "early harvest agreement" on farm trade alone, whereby both countries opened their agricultural markets before the broader China-ASEAN FTA comes into force in 2010.

India-Thailand Free Trade Area

Thailand benefits from the India-Thai FTA, which covers as many as 84 items and several areas in the first phase including services, investment, economic cooperation and goods like food items, tourism, auto parts and electronic goods.

Japan-Thailand Economic Partnership Agreement (JTEPA)

JTEPA is a free trade agreement between Thailand and Japan. The agreement was a deal that would eliminate tariffs on more than 90 percent of bilateral trade within 10 years. It was signed on April 3, 2007 in Tokyo.

Thailand - Australia Free Trade Agreement (TAFTA)

TAFTA has eliminated the majority of Thai tariffs on goods imported from Australia. The reduction of Thailand's previously high tariff barriers (for some goods, up to 200 per cent) is a significant win for

Australian businesses, opening up a range of export opportunities in Southeast Asia's second-largest economy. TAFTA also improves the environment for bilateral services trade and investment. The agreement entered into force on January 1, 2005 and was Australia's third free trade agreement. It was Thailand's first comprehensive free trade agreement and also the first with a developed country.

Thailand - New Zealand Closer Economic Partnership Agreement

New Zealand and Thailand are complementary economies, with Thailand exporting mainly manufactured goods to New Zealand, and New Zealand exporting agricultural goods and wood. Although the value of New Zealand exports to Thailand fluctuates from year to year, since the Closer Economic Partnership came into force in 2005, total exports have almost doubled. In November 2011, a joint general review of the CEP found the agreement had created significant trade and economic benefits for both countries. Since then the two countries have been working together to modernize the agreement under a CEP Refresh Plan. This includes extending the CEP to include services and government procurement, and a review of the Special Agricultural Safeguards that allow tariffs to be re-imposed in certain circumstances.

Thailand-Peru Free Trade Agreement

Trade between Thailand and Peru has been increasing exponentially since the enactment of the free trade agreement in December 2011. Thailand mainly imports minerals (zinc, copper) and food such as flour, fish meal, fish pellets, fresh grapes, and cuttlefish from Peru. There are still positive effects emanating from this agreement to be seen in Peru as many Thai businesses are considering investing in Peru. As a result of this agreement, more and more Thai companies are opening their doors in Peru.

Thailand-Chile Free Trade Agreement

The Free Trade Agreement entered into force on November 5, 2015. This bilateral agreement is Thailand's second FTA with a Latin American country. The FTA immediately reduces tariffs to zero on over 90 percent items of products traded between the two countries. On the remaining products, the tariffs will be reduced to zero over periods ranging from three years up to eight years (for the most sensitive products).

14. BONDED SYSTEM

In Thailand, two main Customs areas, bonded warehouse and duty free zone, are established for bonded purpose. The Thai Customs provided in its national legislations for Customs warehousing procedures allowing the importers to store the goods for more or less long period without payment of taxes and duties until the goods are actually taken for domestic consumption.

14.1 Bonded Warehouse

The bonded warehouse could be present a warehouse or a place of security or a permitted port, which is allowed for importation, exportation, transit or transshipment. Anyone wishing to establish a bonded warehouse shall submit a request for a license in accordance with the Ministerial Regulation. Accordingly, the licensee will pay the annual fee when it is due. A bonded warehouse will be operated for the following purposes:

- Storage of goods therein;
- Display and sale of goods stored therein;
- Production, mix, assembly, packing or processing in any manner of goods stored therein.

An inspection of goods stored in the bonded warehouse will be conducted at any places other than the warehouse. Uninspected goods should not be moved, bulked, sorted, categorized, packed at a permitted port or other places unless a Customs officer grant a permission to do so. An import and an export duty shall be exempted for goods released from a bonded warehouse to be exported out of Thailand. Various types of bonded warehouses are stipulated in the Customs Act as follows:

- Bonded Warehouse of Manufacturing Type;
- Bonded Warehouse for Vessel Repair or Construction;
- Bonded Warehouse of General Type;
- Bonded Warehouse of General Type for Goods Demonstration or Exhibition;
- Bonded Warehouse of General Type for Oil Storage;
- Bonded Warehouse of Duty Free Zone for Free Trade;

- Bonded Warehouse for Storage of Duty Free Goods.

Generally, at the time of importation, imported raw materials brought into production in a manufacturing bonded warehouse will be granted duty and tax exemption, but a bank guarantee amounted to 25% of the maximum amount duties and taxes calculated on such imported raw materials will be required. After the goods have been produced and exported, such security will be released. The time period allowed for the retention of the raw materials in the bonded warehouse of this type is one year, but this period can be waived as needed and agreed by the authorities.

14.2 Duty Free Zone

Duty Free Zone is an indicated area for industrial, logistics, and other business activities operations with no Customs duty and VAT on purchase or importation of raw materials, components or finished goods. Since Duty Free Zone is superintended by Customs Department, then, there are certain criteria for a company who wishes to set up its operation there, as follows:

- The company must mainly involve with import and export;
- The company must be registered in Thailand with capital of at least 5 Million Baht;
- The company should install WMS (Warehouse Management System), or other similar software application, to support warehouse operations;
- The company is also required to report on inventory available of merchandise or raw materials to Customs Office of every six month for checks and balances purpose;
- The company must install CCTV in the warehouse or factory with record kept up to 2 months.

After the company is approved to set up its operation in Free Zone, the Customs will grant a free zone license which costs 10,000 Baht for issuing it and the operation cost is 5,000 Baht for each annually. For a benefit of a Customs duty in an industrial operation, both import duty and export duty shall be exempted for imported goods to the Duty Free Zone as follows:

- Goods that are machinery, accessories, tools and implements including the components thereof for the industrial, commercial or any other activities use for the benefit of the country economy;
- Imported goods to the Duty Free Zone for the industrial, commercial or any other activities use for the benefit of the country economy;

- Goods that are removed from another Duty Free Zone.

An export duty shall be exempted for goods released from a Duty Free Zone to be exported out of Thailand.

15. CUSTOMS POST CLEARANCE AUDIT

Post Clearance Audit is a retrospective examination which takes place after release of imported or exported goods according to the principle of trade facilitation and Customs control by using risk management, the standardization of Customs procedures.

Within Thai Customs, Post Clearance Audit Bureau is responsible for auditing whether tariff nomenclature, tax and duty incentive and import/export formalities applied are compliant with relevant laws and regulations, maintaining post clearance documents and conducting post clearance review auditing records, accounts, and documents on imports and exports at the importer's/exporter's premises or related parties. Besides, the Bureau analyzes risks on imports, exports, and tax and duty incentives, including establishing and updating the Central Profile.

The competent officials shall examine various documents and evidences at the place of business of importer, exporter agent of vessel, agent of such persons or related persons or at the other places relating to the mentioned person. The entrepreneurs or the related person who may be under the examination shall have the duty to keep and maintain accounts, documents, evidences and data in any form not less than 5 years from the date of the importation or the exportation.

Voluntary Audit Program (VAP)

In 2016, Thai Customs officially announced to reopen the VAP allowing companies to review operations and disclose underpayments of duty and taxes to Thai Customs. In 2019, the Thai Customs authorities announced that this program has been extended to April 30, 2020.

The key advantages of the VAP include a simplified declaration process and the potential waiver of penalties and surcharges for cases where it has been proved to Customs' satisfaction that the offenders did not have any fraudulent intent when committing the offences. Historically, offences related to non-declaration of goods, evasion of import/export restrictions, and counterfeit trading are not being considered under the program.

Under the program, eligible business operators can submit a voluntary disclosure to the Thai Customs authorities to correct unintentional underpayments of Customs duties and taxes. If the voluntary disclosure is accepted, the Thai Customs authorities will consider granting an exemption from Customs penalties and reducing the monthly Customs surcharge rate. Business operators, however, will not be exempt from VAT surcharges and penalties under the program.

16. CUSTOMS ENFORCEMENT AND APPEALS

16.1 Changes in New Customs Act

Among the most notable changes, the reduction in incentives and rewards to whistleblowers, clarification of Customs offenses and reduction of statutory penalties, elimination of liability presumptions, and the imposition of deadlines for post clearance audits and appeals, are the key changes introduced in the new Customs Act 2017.

Reduction in Incentives and Rewards

One of the significant changes introduced by the new act is the reduction in incentives and reward amount.

The repealed law allowed Thai Customs to reward officials and third-party whistleblowers for reporting instances of Customs evasion and Customs avoidance. Though helpful in identifying avoidance and evasion, the excessively generous rewards system facilitated wrongdoings in Customs procedure and

introduced biased audits and investigations. Under the new law, the commission paid to a Customs officer and a whistleblower will be limited to Baht 5 million (US\$150,875) per case, thereby eliminating any possibility of bias or wrongdoing.

Clarification of Customs Offenses and Relaxation of Penalties for Evasion Offenses

Under the previous law, Customs offenses – smuggling, evasion and non-compliance in respect of restricted or prohibited goods, and the related criminal penalties were classified together. This often failed to account for the considerable differences in the range of wrongdoing by an offender and charged penalties that were significantly out of proportion to the alleged wrongdoing.

The new Act makes the distinction in degree of Customs offenses clearer. It also prescribes new methods for calculating the related penalties for evasion offenses - between 0.5 to 4 times the amounts of duty evaded only. Previously, such fines were calculated as four times the combined price of the good plus duty. The penalty rate for smuggling offenses, however, continues to remain at four times the duty-paid value of the goods, while non-compliance offenses are punishable at up to Baht 500,000.

A. Under Section 242 – 244 of new Customs Act, the penalties are relaxed as follows:

Smuggling will be subject to: (1) a penalty equal to 4 times the price of the goods (which includes the duty); (2) imprisonment not exceeding 10 years; or (3) both. In addition, the smuggled goods shall be forfeited.

Duty evasion will be subject to: (1) a penalty of 0.5 to 4 times the amount of the duty shortfall; (2) imprisonment not exceeding 10 years; or (3) both. In addition, the goods may be forfeited.

Non-compliance in respect of restricted or prohibited goods will be subject to: (1) a penalty not exceeding 500,000 baht; (2) imprisonment not exceeding 10 years; or (3) both. In addition, the goods may be forfeited.

B. Under Section 202 – 204 of new Customs Act, the penalties are amended as follows:

A false document declaration will be subject to: a penalty not exceeding 500,000 baht.

Provision of false information will be subject to: (1) a penalty not exceeding 500,000 baht; (2) imprisonment not exceeding 6 months; or (3) both.

Making or using fake or counterfeit Customs documents, stamps, signatures and labels will be subject to: (1) a penalty not exceeding 500,000 baht; (2) imprisonment not exceeding 6 months; or (3) both.

Presumed Liability

The new Act also brings in a significant change to the principle of presumed liability for directors and officers. The previous act did not clearly define managing director, managing partner, and the person responsible for the operation of a juristic person.

Import License

The previous law required importers to have their import license at the time of import, that is, the time the vessel carrying the shipment enters the port. The new Act changes the time of import for restricted goods to the time when the goods are taken out of Customs control.

16.2 Investigation

A Customs officer entrusted by the Director-General shall have the following powers for a benefit of an investigation:

- Enter into a place of business or other places related to a business of an importer, as necessary;
- Arrest an alleged offender without a warrant when a flagrant offence is committed, or there are other grounds under the Criminal Procedure Code in order to deliver the alleged offender to an inquiry officer;
- Seize or sequester an account, a document, an evidence, information or any other article that may be used to prove the offence;
- Issue a summon to an importer, an exporter, a transporter, an agent of such person or a person related to an importation or an exportation of goods to give an oral or a written statement, or submit an account, a document, evidences or other necessary articles.

16.3 Appeal

As the Customs Act 2017 states that a limitation of 180 days has been imposed for the Appeal Commission to conclude on a matter brought before it. The 180 days will run from the date the receipt of the appeal and the complete evidence is received by the Appeal Commission. An extension not exceeding

90 days may be granted. The appealing processes in Thailand Customs are as follows:

- In order to appeal the assessment of the duties of the competent officer, the appellant must file an appeal in writing in the form, stating the reason, the import declaration number, the Evaluation Form, the tax amount and other important things to mention;
- Applicants for appeal must appeal to the Board of Appeal within 30 days from the date of receipt of the assessment form, which will consider the form of postal response as a basis for counting the time;
- Appeal against objection to the assessment of the duties of the competent official needs to submit an original one set on one entry;
- Documents for submission of the appeal: a copy of assessment, a copy of the receipt, a copy of the coupon, a copy of ID card of the appellant, a Copy of other documents (if any).
- If the appeals and objections to the tax assessment have sufficient evidence to consider, Appeals Committee will consider and resolve the dispute;
- Appeal must be completed within 45 days from the date of the first Appeal Committee meeting, unless there are other necessities. Once completed, a written notice of appeal will be issued to the appellant in the manner specified;
- In case of disagreement with the Appeal Judgment of the Appeals Board, appellant who disagrees with the appeal decision of the Appeals Board, the appeal is filed by the court within 30 days of receipt.

17. CUSTOMS IPR BORDER PROTECTION

In view of Thailand's geographic and strategic position for transportation and transition of goods in Southeast Asia as well as the establishment of a "Single Window" for importation of goods into ASEAN, strong and effective Customs procedures have never been so crucial. Whilst there are many ways to enforce IPR, border measures enforcement is indubitably one that should not be put aside by IPR holders.

The new system under the Intellectual Property Rights Coordination Center (IPR Center) requires IPP holders to file for recordation with the Department of Intellectual Property (DIP) if they would like Customs to continue monitoring their trademarks.

Record with the Thai Department of Intellectual Property (DIP)

Following documentary evidence should be submitted together with application:

- A certified copy of the trademark registration certificate or certified copy of the trademark registration official record, which can be obtained from the DIP;
- An original/ certified true copy of the power of attorney when authorizing a person to act on behalf of the trademark owner;
- An original/ certified true copy of the juristic person certificate, issued not more than 6 months from the date of issuance of the certificate, when the owner of the trademark is a juristic person;
- A letter of consent to bear liability from the trademark owner assuming responsibility for any damages that may arise due to the application for protection;
- A sample of the actual trademark label used with the trademark owner's product.

The entire process of recordation will take around 20-30 days to complete and a software program has also been developed by the IPR Center to facilitate the filing of the recordation. The DIP will forward the request to prohibit the importation/exportation of products bearing the counterfeit mark/infringing copyrighted works and all supporting documents to Thai Customs for its records and follow up.

Record with Thai Customs

After 2017, since the Customs procedures are available against counterfeit trademark, pirated copyright goods, and infringement of other IP rights such as designs and patents, filing a copyright or trademark notice and actively cooperating with Thai Customs will help the trademark owners to distinguish counterfeit from genuine goods and increase the chances of IP infringing goods being blocked at the borders.

Even though renewals are not required, it is recommended to regularly update Customs and/or the DIP of any new trademark registrations/copyright works.

Detention of Suspected Infringing Goods

According to Customs Regulations, IP owners must confirm to Customs that the alleged infringing goods are counterfeit/pirated (or not) within 24 hours from the date of detention, failure to which the said goods shall be released to the importer/exporter.

In case the seized goods are counterfeit or pirated, the Customs officers may file a petition against the importer/exporter to the Police on the grounds of violation of the Customs and Trademark/Copyright Act for further investigation and prosecution.

18. AUTHORIZED ECONOMIC OPERATORS (AEO)

In 1999, Thai Customs launched the Gold Card Scheme for importers/exporters who are with a good record and reliable background, to facilitate import and export procedures. Thai Customs is replacing the Gold Card License with the Authorized Economic Operator (AEO) license effective in 2013, by completing the AEO pilot project for exporter and importer respectively in 2009 and 2012. In January 2014, the AEO Standard Division was established belonging to the Customs Standard Procedures and Valuation Bureau. Since then, MRA in Thailand has been rapidly developed, the number of AEO members in Thailand has soared in a short time and according programs and activities are growing greatly.

18.1 General Requirements

In Thailand, the general requirements to become AEOs are as follows:

- Be a juristic person with paid-up capital of 5 Million Baht for an importer-exporter and 1 million Baht for a Customs broker;
- Have stable financial status based on the profit shown in the financial statement certified by an auditor and submitted to the Ministry of Commerce. In that regard, the applicant's business must

have been profitable for the past 3 accounting years, retrospectively;

- Operate in the import/export or Customs broker business for over 3 years;
- No serious violation of Customs law and Customs-related laws within 3 years.

18.2 Application Process

To apply for the AEO status, applicant submits an application form with supporting documents and the completed self-assessment checklist:

- The submitted application form and security profile will be examined to see whether or not they meet AEO requirements;
- Thai Customs conducts an on-site validation visit;
- Thai Customs will notify the applicant of the approval or non-approval of the application within 90 days after the submission of the application form.

18.3 AEO Benefits

For those with AEO status, privileges are as follows:

- Privileges for Customs procedures;
- More speedy tax refund and compensation;
- Using a guarantee as a standardized AEO with respect;
- Privileges for legal cases under the conditions specified;
- Exports will be recognized by other Customs administrations upon on MRA;
- Expedited processing for duty drawback, bonded warehouse, Customs Free Zone, etc.;
- Privileges concerning the reduction of time-consuming administrative procedures for minor Customs offences concerning false declarations.

In reference to the department's policy in negotiating the Mutual Recognition Agreement (MRA) with the foreign countries in order to enhance national competitiveness in the international trade and encouraging business units and trading communities in the logistic supply chain to pay their attention to the security measures in the business practice, the Customs, hereby, grant the AEO status to the qualified Customs

brokers so that such Customs brokers can undertake the Customs clearance expeditiously and gain more Customs privileges.

18.4 Monitoring and Evaluation Process

AEO members are required to send financial statements and balance sheets to the AEO Standard Division every year in order to monitor their ability in running the business and ability to pay Customs debt. Re-validations process in every three years to review AEO status of members has been in place.

19. TRADE STATISTICS

Very detailed trade statistics of Thailand could be found at the [website](#) of Ministry of Commerce, which takes charge of collecting and announcing the Foreign Trade Statistics of Thailand based on the processing of original trade data provided by the Thai Customs Department.

Trade statistics of Thailand can also be found at the [website](#) of Thai Customs Department.

20. CONTACT INFORMATION

For further and detailed information relating to Customs clearance procedures, enquiries shall be addressed to the following official contact:

Thai Customs Department

Address: 1, Sunton Kosa Road, Klong Toey, Bangkok, 10110

Tel: +66-2667-6000 / +66 2667 7000

Customs Care Center Tel: 1164 QY

21. OFFICIAL WEBSITES

- [Thai Customs Department](#)
- [Thai Authorized Customs Brokers Association](#)
- [Thailand Ministry of Commerce](#)
- [Fine Arts Department](#)
- [Department of Provincial Administration. Ministry of Ministry of Interior](#)
- [Department of Agriculture](#)
- [Department of Livestock Development](#)
- [Food and Drug Administration](#)
- [Ministry of Industry](#)
- [Excise Department](#)
- [Office of the National Broadcasting and Telecommunications Commission](#)

REFERENCE

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