

Unofficial Translation\*

EXPORT AND IMPORT OF GOODS ACT (NO. 2),  
B.E. 2558 (2015)

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BHUMIBOL ADULYADEJ, REX;  
Given on the 10<sup>th</sup> Day of September B.E. 2558;  
Being the 70<sup>th</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:  
Whereas it is expedient to amend the law on export and import of goods;  
Be it, therefore, enacted by the King, by and with the advice and consent of  
the National Legislative Assembly, as follows:

**Section 1.** This Act is called the “Export and Import of Goods Act (No. 2), B.E. 2558 (2015)”.

**Section 2.** This Act shall come into force after the expiration of ninety days from the date of its publication in the Government Gazette.

**Section 3.** A definition of “transit” shall be added between definitions of “import” and “competent official” in section 4 of the Export and Import of Goods Act, B.E. 2522 (1979).

““transit” means bringing or sending goods via the Kingdom, having points of origin and destination of transportation outside of the Kingdom, no matter whether there is storing of goods, changing of vehicles, or adding or changing of goods containers in the Kingdom for the benefits of transportation or not, and by all means there shall be no utilization of those goods in the Kingdom.”

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

**Section 4.** The following provision shall be added as section 5/1 of the Export and Import of Goods Act, B.E. 2522 (1979):

“Section 5/1. In case of necessity or if appropriate, the Minister of Commerce with an approval of the Council of Ministers, shall have the power to issue Notifications in the Government Gazette prescribing any transiting goods to be the goods that are required to comply with any one of the measures under section 5; with due consideration given to the implementation of Thailand’s existing international obligations, including facilitation in transportation of goods.”

**Section 5.** The following provision shall be added as section 7/1 of the Export and Import of Goods Act, B.E. 2522 (1979):

“Section 7/1. After the notification specifying any goods which requires a license for the transit under section 5/1 has been issued, no one shall transit such goods unless a licence has been obtained from the Minister of Commerce or person entrusted by the Minister of Commerce.

The application for and the granting of licences shall be in accordance with the rules, procedures and conditions prescribed by Ministerial Regulation.”

**Section 6.** The provisions of section 15 and section 16 of the Export and Import of Goods Act, B.E. 2522 (1979) shall be repealed and shall be replaced with the following provisions:

“**Section 15.** The Minister of Finance shall have the power to publish in the Government Gazette a Notification specifying any port or place within the Kingdom through which goods may be exported, imported or transited under this Act.

**Section 16.** The customs laws and the powers of the customs officials thereof specifically concerning examination of goods and prevention of smuggling, search, seizure and forfeiture, arrest of offenders, false declarations and legal proceedings shall also apply to exports, imports or transits under this Act.”

**Section 7.** The provisions of (1) and (2) of section 17 of the Export and Import of Goods Act, B.E. 2522 (1979) shall be repealed and shall be replaced with the following provisions:

“(1) to enter any office, place of production or warehouse or any vehicle belonging to the exporter, importer or transitor, or any person during the period between

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sunrise and sunset or during office hours of such place to search or examine goods if there is a reason to suspect that an offence under this Act has been committed;

(2) to request relevant documents or evidence from an exporter, importer or transitor, or from any person concerned;

**Section 8.** The following provision shall be added as section 20/1 of the Export and Import of Goods Act, B.E. 2522 (1979):

“ **Section 20/ 1.** Any person transiting goods that are notified as goods prohibited for transit under section 5/ 1 or violating section 7/ 1 paragraph one shall be liable to imprisonment for a term of not exceeding five years, or to a fine equivalent to two and a half times the value of transited goods, or to both, and those goods as well as any containers and vehicles used in connection with the transport thereof as well as vehicles used in the haulage thereof shall be confiscated. The provision of section 20 paragraph two, paragraph three, paragraph four and paragraph five shall apply *mutatis mutandis*.

Any person, who violates or fails to comply with the Notifications issued under section 5/1 in addition to those mentioned in paragraph one, shall be liable to imprisonment for a term of not exceeding six months or to a fine not exceeding ten thousand baht, or to both.”

**Section 9.** The following provision shall be added as section 22/1 of the Export and Import of Goods Act, B.E. 2522 (1979):

“ **Section 22/ 1.** Any person, who transits goods in violation or fails to comply with the Notifications issued under section 15, shall be liable to imprisonment for a term of not exceeding six months or to a fine not exceeding ten thousand baht, or to both.”

**Section 10.** The following provision shall be added as section 23/ 1 of the Export and Import of Goods Act, B.E. 2522 (1979):

“ **Section 23/ 1.** All offences under this Act may be settled by the Director-General of the Customs Department or the specific Committee under the law on customs by way of payment of a fine. The provisions on settlement of cases by way of payment of a fine under the law on customs shall apply *mutatis mutandis* to settlement of offences under this Act.

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**Section 11.** The provisions of (2) and (3) of Schedule of Fees annexed to the Export and Import of Goods Act, B.E. 2522 (1979) shall be repealed and shall be replaced with the following provisions:

- “(2) Licence for export, import or transit 50 baht each;  
(3) Certificate of Origin  
Certificate of Quality or other Certificates  
under section 5 (5) and section 5/1 100 baht each.”

**Section 12.** All Notifications issued under the Export and Import of Goods Act, B.E. 2522 (1979), which are in force on the day prior to the date this Act comes into force shall continue to be in force in so far as they are not contrary to or inconsistent with this Act until they are replaced by Notifications which are issued under this Act.

**Section 13.** The Minister of Commerce and the Minister of Finance shall have charge and control of the execution of this Act.

Countersigned by  
General Prayut Chan-o-cha  
Prime Minister

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