

(Garuda Emblem)

**Notification of Department of Industrial Works****Re: Importing conditions for used electrical and electronic equipment  
which is hazardous substance into the Kingdom of Thailand.**

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With respect to the Notification of Ministry of Industry regarding lists of hazardous substances B.E. 2538 (1995), issued by the virtue of section 18 of the Hazardous Substance Act B.E. 2535 (1992), used electrical and electronic equipment including parts and accessories are classified as type 3 hazardous substance of which producer, importer, exporter, or possessor shall obtain the permit from the competent official prior to undertaking such business. To regulate on hazardous substance and to protect human, animal, plants, properties, or the environment from potential danger and by the virtue of article 17 of chapter 3 of the Ministerial Regulation (B.E. 2537 (1994)), issued pursuant to the Hazardous Substance Act B.E. 2535 (1992), which contains some provisions concerning the limitation of the people rights and liberties that is permissible by the provisions of section 29 together with section 35, section 48 and section 50 of the Constitution of the Kingdom of Thailand, Department of Industrial Works hereby announces the importing conditions for used electrical and electronic equipment as follows:

Article 1      The following used electrical and electronic equipment shall be classified as type 3 hazardous substance under the provision of this Notification, unless they have been regulated under the provision of other laws.

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| 1.1      Refrigerator | Harmonized system code 84.18 |
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[Note: a refrigerator for household that uses CFCs in production process shall be banned from importing into the Kingdom in accordance with the Notification of Ministry of Commerce regarding import of goods into the Kingdom of Thailand (No. 120) B.E. 2540 (1997).]

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|---------------------------------------------|------------------------------|
| 1.2      Reception apparatus for television | Harmonized system code 85.28 |
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| 1.3      Radiobroadcast receiver | Harmonized system code 85.27 |
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| 1.4      Video recording or reproducing apparatus | Harmonized system code 85.21 |
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| 1.5      DVD player | Harmonized system code 85.21 |
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| 1.6      VCD player | Harmonized system code 85.21 |
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| 1.7      Tape recorder and cassette player | Harmonized system code 85.19, 85.20 |
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| 1.8      Air conditioning machine | Harmonized system code 84.15 |
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| 1.9  | Washing machine                                                  | Harmonized system code 84.50            |
| 1.10 | Drying machine                                                   | Harmonized system code 8451.21, 8451.29 |
| 1.11 | Dry-cleaning machine                                             | Harmonized system code 8451.10          |
| 1.12 | Electric rice cooker                                             | Harmonized system code 8516.60          |
| 1.13 | Electric kettle                                                  | Harmonized system code 8516.10          |
| 1.14 | Microwave oven                                                   | Harmonized system code 8516.50          |
| 1.15 | Electric oven                                                    | Harmonized system code 8516.60          |
| 1.16 | Telephone sets                                                   | Harmonized system code 8517.11, 8517.19 |
| 1.17 | Facsimile machine                                                | Harmonized system code 8517.21          |
| 1.18 | Telegram device                                                  | Harmonized system code 8525.20          |
| 1.19 | Calculating machine                                              | Harmonized system code 84.70            |
| 1.20 | Electric typewriter                                              | Harmonized system code 84.69            |
| 1.21 | Copy machine                                                     | Harmonized system code 90.09            |
| 1.22 | Mobile telephone                                                 | Harmonized system code 8525.20          |
| 1.23 | Computer and accessories<br>(Monitor, printer, and scanner, etc) | Harmonized system code 84.71            |
| 1.24 | Electric fan                                                     | Harmonized system code 8414.51          |
| 1.25 | Water cooler machine                                             | Harmonized system code 8418.69          |
| 1.26 | Hair dryer                                                       | Harmonized system code 8516.31          |
| 1.27 | Electric smoothing iron                                          | Harmonized system code 8516.40          |
| 1.28 | Burglar alarm                                                    | Harmonized system code 8531.10          |
| 1.29 | Compressors used in<br>refrigerating equipment                   | Harmonized system code 8414.30          |

Article 2 Import of article 1 under this Notification shall mean import for the following purposes:

- 2.1 Import for retail or reuse purpose, the following requirements shall be met.
  - 2.1.1 Equipment shall be in the original condition as being manufactured, and in use less than 3 years from the manufacturing date, except for a copy machine that shall be in use less than 5 years.
  - 2.1.2 For certain product that is required to meet a standard, equipment shall meet at least the Thailand industrial standard.

- 2.1.3 Equipment shall be accompanied with a warranty from a manufacturer or a letter of guarantee from other agencies approved by Department of Industrial Works that is issued within 6 months prior to importing.
- 2.2 Import for repairing or refurbishment as in the following case:
  - 2.2.1 For a return shipment of repaired or refurbished equipment from abroad, a copy of re-import certificate or a copy of export declaration from Customs Department shall be submitted with an application for import permit.
  - 2.2.2 For equipment being imported into the Kingdom solely for repairing or refurbishing purpose, an official letter shall be submitted to Department of Industrial Works to assure the re-export of such equipment including any damaged parts. Exporter shall submit export clearance document to Department of Industrial Works within 30 days as from the date of export. For equipment manufactured in Thailand, it is not required to re-export damaged parts, however, management plan for such damaged parts shall be submitted to Department of Industrial Works.
- 2.3 Import for modification or refurbishment of equipment to meet its originally intended purpose, the following requirements shall be met.
  - 2.3.1 Must be economically worthwhile.
  - 2.3.2 Imported amount must be corresponding with capacity of facility in part 3.3.2.
- 2.4 Import for sorting or recycling purpose, the following requirements shall be met.
  - 2.4.1 Must be economically worthwhile.
  - 2.4.2 Imported amount must be corresponding with capacity of facility in part 3.4.2.
  - 2.4.3 Must be imported from parties of Basel Convention only.

Article 3 Criteria for permission to import under article 1 of this Notification specifies the qualification of importer as follows:

- 3.1 Import for retail or reuse purpose, an importer shall be a person who undertaking business of importing used electrical and electronic equipment as prescribed in part 2.1.

- 3.2 Import for repairing purpose, an importer shall be a person who undertaking business of importing used electrical and electronic equipment as prescribed in part 2.2.1 or part 2.2.2, as the case may be.
- 3.3 Import for modification or refurbishment of equipment, an importer shall possess the following qualification:
- 3.3.1 An importer shall be a person who undertaking business of importing used electrical and electronic equipment for modification or refurbishment as prescribed in part 2.3.
- 3.3.2 An importer shall operate a licensed factory with efficiency and capacity corresponding with ability to modify or refurbish such imported equipment.
- 3.3.3 An importer shall have consent from the country of origin to take back wastes generated from the process, or there is a licensed disposal facility for such wastes approved by Department of Industrial Works, as the case may be.
- 3.4 Import for sorting or recycling purpose, an importer shall possess the following qualification:
- 3.4.1 An importer shall be a person who undertaking business of importing used electrical and electronic equipment for sorting or recycling purpose as prescribed in part 2.4.
- 3.4.2 There are licensed factories types 105 or 106 that have efficiency and capacity corresponding with ability to sort or recycle such imported equipment.
- 3.4.3 An importer shall have consent from the country of origin to take back wastes generated from the process, or there is a licensed disposal facility for such wastes approved by Department of Industrial Works, as the case may be.

Article 4 The following parts of used electrical and electronic equipment shall be classified as type 3 hazardous substance under the provision of this Notification, unless they have been regulated under the provision of other laws.

4.1 Parts of refrigerator

Harmonized system code 8418.91, 8418.99

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|------|---------------------------------------------------------------------------|---------------------------------------------------------------|
| 4.2  | Parts of reception apparatus for television                               | Harmonized system code 85.29                                  |
| 4.3  | Parts of radiobroadcast receiver                                          | Harmonized system code 85.29                                  |
| 4.4  | Parts of video recording or reproducing apparatus                         | Harmonized system code 85.22                                  |
| 4.5  | Parts of DVD player                                                       | Harmonized system code 85.22                                  |
| 4.6  | Parts of VCD player                                                       | Harmonized system code 85.22                                  |
| 4.7  | Parts of Tape recorder and cassette player                                | Harmonized system code 85.22                                  |
| 4.8  | Parts of air conditioning machine                                         | Harmonized system code 8418.91, 8418.99                       |
| 4.9  | Parts of washing machine                                                  | Harmonized system code 8450.901, 8450.902                     |
| 4.10 | Parts of drying machine                                                   | Harmonized system code 8451.901, 8451.909                     |
| 4.11 | Parts of dry-cleaning machine                                             | Harmonized system code 8451.901, 8451.909                     |
| 4.12 | Parts of electric rice cooker                                             | Harmonized system code 8516.90                                |
| 4.13 | Parts of electric kettle                                                  | Harmonized system code 8516.90                                |
| 4.14 | Parts of microwave oven                                                   | Harmonized system code 8516.90                                |
| 4.15 | Parts of electric oven                                                    | Harmonized system code 8516.90                                |
| 4.16 | Parts of telephone sets                                                   | Harmonized system code 8517.90                                |
| 4.17 | Parts of facsimile machine                                                | Harmonized system code 8517.90                                |
| 4.18 | Parts of telegram device                                                  | Harmonized system code 85.29                                  |
| 4.19 | Parts of calculating machine                                              | Harmonized system code 84.73                                  |
| 4.20 | Parts of electric typewriter                                              | Harmonized system code 84.73                                  |
| 4.21 | Parts of copy machine                                                     | Harmonized system code 9009.91, 9009.92, 9009.93, and 9009.99 |
| 4.22 | Parts of mobile telephone                                                 | Harmonized system code 85.29                                  |
| 4.23 | Parts of computer and accessories<br>(Monitor, printer, and scanner, etc) | Harmonized system code 84.73                                  |
| 4.24 | Parts of electric fan                                                     | Harmonized system code 8414.90                                |
| 4.25 | Parts of water cooler machine                                             | Harmonized system code 8418.91, 8418.99                       |
| 4.26 | Parts of hair dryer                                                       | Harmonized system code 8516.90                                |
| 4.27 | Parts of electric smoothing iron                                          | Harmonized system code 8516.90                                |
| 4.28 | Parts of burglar alarm                                                    | Harmonized system code 8531.90                                |

Article 5 Import of article 4 under this Notification shall mean import for the following purposes:

- 5.1 Import for retail or reuse purpose, the following requirements shall be met.
  - 5.1.1 Part shall be in the original condition as being manufactured.
  - 5.1.2 For certain product that is required to meet a standard, equipment shall meet at least the Thailand industrial standard.
  - 5.1.3 Shall be used as part only.
- 5.2 Import for repairing or refurbishment as in the following case:
  - 5.2.1 For a return shipment of repaired or refurbished parts from abroad, a copy of re-import certificate or a copy of export declaration from Customs Department shall be submitted with an application for import permit.
  - 5.2.2 For parts being imported into the Kingdom solely for repairing or refurbishing purpose, an official letter shall be submitted to Department of Industrial Works to assure the re-export of such parts. Exporter shall submit export clearance document to Department of Industrial Works within 30 days as from the date of export.
  - 5.2.3 For parts being imported for repairing or refurbishing purpose to resale or reuse in the Kingdom, imported amount must be corresponding with capacity of facility in part 6.2.2.
- 5.3 Import for sorting or recycling purpose, the following requirements shall be met.
  - 5.3.1 Must be economically worthwhile.
  - 5.3.2 Imported amount must be corresponding with capacity of facility in part 6.3.2.
  - 5.3.3 Must be imported from parties of Basel Convention only.

Article 6 Criteria for permission to import under article 4 of this Notification specifies the qualification of importer as follows:

- 6.1 Import for retail or reuse purpose, an importer shall be a person who undertaking business of importing parts of used electrical and electronic equipment as prescribed in part 5.1.
- 6.2 Import for repairing or refurbishing purpose, an importer shall possess the following qualification:

- 6.2.1 An importer shall be a person who undertaking business of importing parts of used electrical and electronic equipment as in part 5.2.1, part 5.2.2, or part 5.2.3., as the case may be.
- 6.2.2 An importer shall operate a licensed factory with efficiency and capacity corresponding with ability to repair or refurbish such imported parts.
- 6.3 Import for sorting or recycling purpose, an importer shall possess the following qualification:
- 6.3.1 An importer shall be a person who undertaking business of importing parts of used electrical and electronic equipment for sorting or recycling as prescribed in part 5.3.
- 6.3.2 There are licensed factories types 105 or 106 that have efficiency and capacity corresponding with ability to sort or recycle such imported parts.
- 6.3.3 An importer shall have consent from the country of origin to take back wastes generated from the process, or there is a licensed disposal facility for such wastes approved by Department of Industrial Works, as the case may be.

Article 7 This Notification shall not be applied to the following import:

- 7.1 Temporary imports with expecting to be re-export within 6 months as from the date of importing in accordance with Harmonized System chapter 4 type 3, except for the import for repairing purpose as in type 3(6) that shall be complied with criteria prescribed in part 2.2.
- 7.2 Import for personal use with reasonable quantity in accordance with Harmonized System chapter 4 type 5, or import with reasonable quantity due to translocation in accordance with Harmonized System chapter 4 type 6, or import not more than two units for each categories.
- 7.3 Import with the privilege under the agreement between Thailand and United Nations, under international laws, under multilateral agreement, or under counselor privilege in accordance with Harmonized System chapter 4 type 10.
- 7.4 Import to be used in an international conference with reasonable quantity in accordance with Harmonized System chapter 4 type 17.

7.5 Import for petroleum business with the approval from Committee of the Petroleum Act B.E. 2514 (1971).

This shall, thus, enter into force on the day following the date of its publication in the Government Gazette, and shall be enforceable for 3 years from the day following the date of its publication.

Announced on the 26<sup>th</sup> September B.E. 2546 (2003)

(signed)\_\_\_\_\_

(Mr. Virah Mavichak)

Director-General

Department of Industrial Works

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