

**Notification of Ministry of Industry**  
**Subject: Insurance for Hazardous Substance Transportation**  
**B.E. 2559 (2016)**

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By virtue of section 5 paragraph three and section 20 (1) (1/1) of the Hazardous Substance Act B.E. 2535 (1992), which has been amended by the Hazardous Substance Act (No. 3) B.E. 2551, the Minister of Industry, with the recommendation of the Hazardous Substance Committee, hereby prescribes the Notification as follows:

**Article 1** The Notification of Ministry of Industry regarding Insurance for Hazardous Substance Transportation B.E. 2549 (2006) dated 26<sup>th</sup> January B.E. 2549 shall be repealed.

**Article 2** In this Notification;

**“Hazardous Substance”** means hazardous substances as prescribed in List 5.1, List 5.4 and List 5.5 under the responsibility of Department of Industrial Works according to the Notification of Ministry of Industry regarding List of Hazardous Substances, which is issued under the Section 18, paragraph two of the Hazardous Substance Act B.E. 2535.

**“Transportation”** means a land transportation of hazardous substance using tanks and this shall not include rail transportation.

**“Tanks”** means tank containers, portable tanks, demountable tanks or fixed tanks including Battery-Vehicles or Multiple-Element Gas Container: MEGC and shall also means shells including service and structural equipment.

**“Transporter”** means a person who transports hazardous substance.

**Article 3** Transporter shall have an insurance covered from point of departure to point of destination, as follows:

3.1 Liability insurance covers compensation for accidents caused by transportation of hazardous substance to the third party with the following sum insured;

(1) Damage to life, body and health, the sum insured shall be complied with the Road Accident Victim Protection Act B.E. 2535 (1992).

(2) Damage to property, the sum insured shall not less than 2 million baht per each event.

3.2 Liability insurance for consequential effects arising from an accident that causes release, explosion or fire to the hazardous substance being transported of all cases covers expenses for cleaning, removal, remediation, mitigation including rehabilitation to their original conditions or similar to their original conditions that include damage to environment, animals, plants, natural resources, state properties or bona vacantia, of which the sum insured shall not less than 5 million baht per each event.

**Article 4** Insurance under Article 3 shall be done with insurance company that obtains license for doing insurance business under the law governing insurance.

**Article 5** Transporter shall keep an insurance policy of a vehicle used for transportation with such vehicle for inspection by the official. The transporter is required to have the insurance throughout the business operation period.

**Article 6** Compensation for damage according to this Notification shall not deprive of the third party's right in suing for compensation for damages arising from wrongful acts or for liability damage.

This shall come into force after the period of 180 days as from the date of its publication in the Government Gazette has elapsed.

Announced on the 14<sup>th</sup> December B.E. 2559 (2016)

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

(Mrs. Atchaka Sibunruang)  
Minister of Industry

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