

Notification of Ministry of Industry

Re: Exemption from compliance with Hazardous Substance Act B.E. 2535 regarding declaration of operation, permission and registration of hazardous substances under responsibility of Department of Industrial Works B.E. 2546 (2003)

Whereas it deemed appropriate to amend the Notification of Ministry of Industry regarding exemption from compliance with Hazardous Substance Act B.E. 2535 regarding declaration of operation, permission and registration of hazardous substances under responsibility of Department of Industrial Works B.E. 2543, dated 20th March B.E. 2543; by the virtue of the third paragraph of Article 5, and Article 20(5), the second paragraph of Article 36, and Article 44(1), (2) of the Hazardous Substance Act B.E. 2535, which contains some provisions concerning the limitation of the person's rights and freedoms that can be done by the provisions of Section 29 combined with Section 31 and Section 50 of the Constitution of the Kingdom of Thailand, the Minister of Industry, approved by the Hazardous Substance Committee, hereby issues the notification as follows:

Article 1 The Notification of Ministry of Industry regarding exemption from compliance with Hazardous Substance Act B.E. 2535 regarding declaration of operation, permission and registration of hazardous substances under responsibility of Department of Industrial Works B.E. 2543, dated 20th March B.E. 2543 shall be revoked.

Article 2 Hazardous substances in this Notification means hazardous substances listed under the responsibility of Department of Industrial Works, prescribed in pursuant to the second paragraph of Article 18.

Article 3 Hazardous substances prescribed in Article 2 that have been regulated in any matter by any other laws shall be exempted from compliance with this Notification for such matter, as the case maybe.

Article 4 Possessor of hazardous substances for retail trade whose possession of one type of hazardous substance or more in the amount of not more than 1.000 kilograms shall be exempted from declaration of the operation of hazardous substances type 2 according to the first and second paragraph of Article 22, and from applying for permission of hazardous substances type 3 according to the first paragraph of Article 23.

Article 5 Possessor of hazardous substances for the purpose of private use, industrial use, or as internal component of tool or equipment that has been legally controlled for their emergency production, import, or transportation aiming to prevent, mitigate or suppress the grave danger effecting to human, animal, plant, or environment shall be exempted from declaration of the operation of hazardous substances type 2 according to the first and second paragraph of Article 22, and from applying for permission of hazardous substances type 3 according to the first paragraph of Article 23.

Article 6 Possession or import of hazardous substances for the internal use of the following organizations shall be exempted from declaration of the operation of hazardous substances type 2 according to the first and second paragraph of Article 22, and from applying for permission of hazardous substances type 3 according to the first paragraph of Article 23, and from registration, if required, according to the second paragraph of Article 36.

(1) Ministry, bureau, department, local government, state enterprise, state organization, state agency, Thai Red Cross

(2) International Committee of the Red Cross

(3) International organization according to the law concerning the Protection for Operation of the United Nations and Specialized Agencies in Thailand.

This shall, thus, enter into force on the day following the date of its publication in the Government Gazette.

Announced on the 8th October B.E. 2546 (2003)

(Somsak Thepsuthin)

Minister of Industry

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