

Notification of the Office of the Central Committee on the Price of Goods and Services

No. 14, B.E. 2562 (2019)

Regarding Rules and Procedures in relation to Application, Permission, Form of Letter
of Permission and Method of Transport of Garlic Imported from Foreign Countries
via Electronic System

Whereas the Central Committee on the Price of Goods and Services already issued the Notification of the Central Committee on the Price of Goods and Services, No. 54, B.E. 2562 (2019) regarding Control of Transport of Garlic Imported from Foreign Countries dated 4 July B.E. 2562 (2019), prescribing that a person is prohibited from transporting the garlic as imported from foreign countries, whereby the quantity of which per each time of transport starts from four hundred kilograms upwards, entering or leaving specified provincial areas. The aforesaid prohibition shall not be applicable to a person who receives a letter of permission. The application for permission may be filed via the electronic system of the application for permission for the transport of controlled goods. The rules and procedures in relation to the application, the permission, the form of the letter of permission and the method of the transport of the garlic as imported from foreign countries shall be in accordance with the stipulations as made by the Secretary-General of the Central Committee on the Price of Goods and Services.

In order to comply with the government policy on the provision of services via the electronic system, Thailand 4.0, and to reduce the step and the duration of applying for the permission and issuing the letter of permission for the transport of the garlic as imported from foreign countries which shall facilitate a business operator, by virtue of paragraph four of Article 4 of the Notification of the Central Committee on the Price of Goods and Services, No. 54, B.E. 2562 (2019) Regarding Control of Transport of Garlic Imported from Foreign Countries dated 4 July B.E. 2562 (2019), the Secretary-General of the Central Committee on the Price of Goods and Services therefore issues this Notification, as follows.

Article 1. This Notification shall come into force as from the date of its publication.¹

¹ Published in the Government Gazette, Volume 136, Special Part 201 d, Page 24, dated 13 August B.E. 2562 (2019).

Article 2. In this Notification,

“Secretary-General” means the Secretary-General of the Central Committee on the Price of Goods and Services;

“Chairperson of PCP” means the Chairperson of the Provincial Committee on the Price of Goods and Services;

“electronic system of transport” means the electronic system of the application for permission for the transport of controlled goods as set up by the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade;

“applicant” means a person who has an intention to apply for the permission for the transport of the garlic as imported from foreign countries via the electronic system of transport;

“digital signature” means a letter, a character, a number, a sound, or any other symbol which is created in the electronic form that shall be used with electronic information to indicate the relationship between a person and the electronic information, the purpose of which is to identify the person who is the owner of the digital signature in relation to such electronic information and to indicate that the aforesaid person accepts the contents of such electronic information.

Chapter 1

Application for Permission

Article 3. A person, who wishes to apply for the permission for the transport of the garlic as imported from foreign countries via the electronic system of the application for permission for the transport of controlled goods pursuant to the Notification of the Central Committee on the Price of Goods and Services No. 54, B.E. 2562 (2019) Regarding Control of Transport of Garlic Imported from Foreign Countries dated 4 July B.E. 2562 (2019), is required to file the application to a competent official via the electronic system of transport.

Article 4. A person, who wishes to apply for the permission for the transport of the garlic as imported from foreign countries via the electronic system of transport, is required to proceed according to the following steps and procedures.

(1) To access the electronic system of transport via the website of the Department of Internal Trade (www.dit.go.th) by choosing an online service, the electronic system of the application for permission for the transport of controlled goods, or to access the electronic system of transport directly at <https://app-transport.dit.go.th>, by using a username which has

been informed to the Secretary-General and a password which has been provided by the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade.

(2) To fill in an application for the letter of permission for the transport of the garlic as imported from foreign countries, and to attach the following electronic files of documents and evidence in a clear manner,

(a) the certificate issued by the Office of the Company and Partnership Registration specifying the objectives, the names of director and authorized person to bind the juristic person, which has been certified by the registrar prior to the date of filing the application for permission not exceeding six months, in case of a juristic person,

(b) a copy of identity card, in case of an ordinary person,

(c) evidence showing the source, purchase and sale, acquirement of the garlic as imported from foreign countries, in case of general people,

(d) evidence showing the source, purchase and sale, acquirement or importation into the Kingdom of the garlic as imported from foreign countries, in case of an importer,

1) copies of Import Declaration together with Excise Tax Return and Value Added Tax Return (Form of Kor.Sor.Kor 99/1) issued by the Customs Department, and a copy of the receipt of import duty,

2) a copy of Bill of Lading (B/L) or a copy of Truck Bill of Lading or other evidence showing the transport of goods,

3) a copy of the certificate of being granted the right to pay taxes in accordance with the obligation of agricultural agreement under the World Trade Organization (WTO) issued by the Department of Foreign Trade,

4) a copy of the letter of permission for bringing or ordering food into the Kingdom or a copy of the application for permission to move a place of food importation or a place of food storage, as the case may be, issued by the Office of the Committee on Food and Drug Administration,

5) a copy of invoice,

(e) in the case where a receiver at a destination is unable to receive the garlic as imported from foreign countries, the applicant is required to file an application together with the attachment of the files of documents and evidence under Article 14 (2) and to inform the number of the letter of permission relating to such an obstruction in order to reapply for the permission to transport.

(3) After having already completed the application together with the attachment of the files of documents and evidence under (2), the applicant is required to put the digital signature in the application for the letter of permission for the transport of the garlic as imported from foreign countries and to press a record.

When the system has already sent a message to confirm the sending of the application, it shall be deemed that the applicant has already filed the application for permission via the electronic system of transport completely.

Chapter 2

Permission

Article 5. When the competent official has already received the application together with the documents and evidence under Article 4, he/she shall examine the correctness and completion of the application, the documents and evidence. After having considered that they are incorrect or incomplete, he/she shall inform the applicant to amend the application or to submit the correct and complete documents and evidence within a specified period.

In the case where the applicant fails to perform within a specified period, it shall be deemed that he/she abandons the application, and the competent official shall discard the application.

When the competent official has considered that the application, the documents and evidence are correct and complete, he/she shall record the receipt of the application and the confirmation for the correctness. Thereafter, the competent official shall put forward his/her preliminary opinion to the Secretary-General or the official who is entrusted by the Secretary-General or the Provincial Commercial Officer, as the case may be, for consideration to put the digital signature in the letter of permission for the transport via the electronic system of transport. In this regard, the correctness of acquirement and the necessity to transport shall be taken into consideration.

When the letter of permission for the transport via the electronic system of transport has been issued, the competent official under paragraph one shall send the information regarding the letter of permission via the electronic system of transport to the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade, the Ministry of Commerce, or the Provincial Commercial Office where is the destination of the transport, in order for the examination of the transport.

Article 6. The letter of permission for the transport of the garlic as imported from foreign countries shall be valid for the following duration.

(1) As for the transport by land and by car, the computation for the duration of transport as permitted shall be made on the basis of distance of the first one hundred kilometers per three hours and every distance of the next one hundred kilometers per three hours, the fraction of one hundred kilometers per another three hours.

(2) As for the transport by land and by train, the transport by sea, or the transport by other ways, the duration of transport shall be fixed as appropriate.

In case of necessity in which the transport may not be able to undertake on the basis of distance of one hundred kilometers per three hours as specified in (1) or the duration as fixed under (2), the Secretary-General or the official who is entrusted by the Secretary-General or the Provincial Commercial Officer, as the case may be, shall be the person to consider for approval on the case by case basis.

The authority who issues the letter of permission for the transport of the garlic as imported from foreign countries is required to specify the starting date and time and the ending date and time of the validity of the letter of permission for the transport of the garlic as imported from foreign countries in such letter.

Article 7. The person, who has received the letter of permission for the transport but cannot transport within the specified period of time and quantity, shall apply for the cancellation of the aforesaid letter of permission for the transport to the authority, who issues the letter of permission for the transport of the garlic as imported from foreign countries via the electronic system of transport, within three days as from the expiration date of the letter of permission for the transport. In applying for the cancellation of the letter of permission, the following actions shall be taken.

(1) To confirm his/her identity in order to have access to the electronic system of transport, and to give a reason for the cancellation in the application for the cancellation of the letter of permission for the transport of the garlic as imported from foreign countries.

(2) To put the digital signature in the application for the cancellation of the letter of permission for the transport of the garlic as imported from foreign countries by pressing the record.

(3) When the competent official has already received the application for the cancellation of the letter of permission for the transport of the garlic as imported from foreign countries, he/she shall present such an application to the authority, who issues the

letter of permission for the transport, for consideration to put the digital signature in the application for the cancellation of the letter of permission for the transport in the electronic system of transport. This shall be deemed that the aforesaid cancellation of the letter of permission has already been completed.

Article 8. The person, who has received the letter of permission for the transport, shall type the letter of permission for the transport from the electronic system of transport. It is prohibited to amend or add contents in the letter of permission unless the amendment or adding is made for informing about the registration number of a vehicle under paragraph three. And it shall be deemed that the letter of permission for the transport which is typed out of the electronic system of transport is the original of the letter of permission for the transport of the garlic as imported from foreign countries under this Notification.

The original of the letter of permission for the transport of the garlic as imported from foreign countries as typed out of the electronic system of transport shall have the digital signature of the person, who has authority to grant the permission for the transport under the Notification of the Central Committee on the Price of Goods and Services, No. 54, B.E. 2562 (2019) regarding Control of Transport of Garlic Imported from Foreign Countries dated 4 July B.E. 2562 (2019), and the seal of a government agency. In this regard, it shall be deemed that the letter of permission for the transport as stored on the electronic system of transport is the duplicate of the letter of permission for the transport.

In the case where the applicant is unable to inform about the registration number of a vehicle to be used for the transport at the same time of filing an application for the letter of permission, prior to typing the original of the letter of permission for the transport of the garlic as imported from foreign countries, the applicant is required to inform about the registration number of the vehicle to be used for the transport on the electronic system of transport and to upload the photo files (jpg) of the driver's identity card and the vehicle to be used for the transport in the manner that the registration number can be clearly seen.

Chapter 3

Transportation

Article 9. The applicant is required to give the original of the letter of permission for the transport as typed out of the electronic system of transport to the driver or the

controller of the vehicle. He/she must bring the original with him/her in the vehicle in every time of the transport in order that the original is able to be examined all the time.

In case of the applicant being an importer, he/she is required to give the original of the letter of permission for the transport and the documents and evidence under Article 4 (d), 1) and 2) which have been typed out of the electronic system of transport to the driver or the controller of the vehicle. He/she must bring all the documents with him/her in the vehicle in every time of transport in order that all the documents are able to be examined all the time.

Article 10. The transport shall be undertaken to correspond with the type, the size, the grade, the quantity, the period of time as permitted to transport, and the use of the vehicle with the registration number as specified in the letter of permission for the transport of the garlic as imported from foreign countries.

Article 11. In the case where there is an obstruction during the period of transport, which causes the delay of transport to be inconsistent with the duration of transport as permitted by the letter of permission for the transport of the garlic as imported from foreign countries, the following actions shall be taken by the applicant:

(1) The applicant shall confirm his/her identity in order to have access to the electronic system of transport, and inform about the cause of the obstruction in the application for informing about the cause of the obstruction of the transport of the garlic as imported from foreign countries to the authority who issues the letter of permission for the transport.

(2) The applicant shall upload the photo file (jpg) of the vehicle which is used for the transport in the manner that the registration number can be clearly seen and the photo of the driver's identity card.

In the case where there is the necessity of changing the vehicle which is used for the transport, the applicant shall upload the photo file of the new vehicle to be used for the transport in the manner that the registration number can be clearly seen, and the photo of the driver's identity card, in case of being the necessity of changing the driver.

(3) The applicant shall put the digital signature in the application for informing the cause of the obstruction of the transport of the garlic as imported from foreign countries by pressing the record.

(4) In informing about the cause of the obstruction under (1), the relevant information must be accurate and complete in all respects and can be referred as evidence

in legal proceedings. And when the applicant has already put the digital signature under (3), the transport shall continue until the authority, who issues the letter of permission for the transport, does not give permission to transport. It shall also be deemed that informing about the cause of the obstruction via the electronic system of transport is the informing about the cause of the obstruction.

Article 12. When the transport arrives at the destination, the driver or the controller of the vehicle is required to give the original of the letter of permission for the transport to the receiver of the garlic as imported from foreign countries, who is specified in the letter of permission for the transport, in order that he/she shall write his/her signature to receive the garlic as imported from foreign countries.

Article 13. The applicant is required to deliver the original of the letter of permission for the transport of the garlic as imported from foreign countries to the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade, or the Provincial Commercial Office, which is the destination of transport, via the electronic system of transport within forty eight hours as from the time when the transport arrives at the destination. In this regard, the following actions shall be taken.

(1) To confirm his/her identity in order to have access to the electronic system of transport.

(2) To record the photo (ipg) of the original of the letter of permission for the transport which has the signature of the receiver of the garlic as specified in the letter of permission, the photo of the identification card or other evidence showing the identity of the receiver at the destination as issued by a government agency, and the photo of the vehicle which is used for the transport in the manner that the registration number can be clearly seen.

(3) To upload the photo files of the documents and evidence under (2).

(4) To put the digital signature in the electronic system of transport by pressing the record. And it shall be deemed that the delivery of the original of the letter of permission for the transport of the garlic as imported from foreign countries has already been completed.

(5) The competent official of the destination area of the transport is required to record the receipt of the data regarding the delivery of the original of the letter of permission for the transport and the documents and evidence in the electronic system of transport, and to examine the duration of the delivery. The date and time when the electronic data enters into the system shall be deemed as the date and time of the delivery of the original of the letter of permission for the transport of the garlic as imported from foreign countries.

Article 14. In the case where the receiver of the garlic as imported from foreign countries, who is specified in the letter of permission, is unable to receive the garlic, the applicant shall take the following actions.

(1) To confirm his/her identity in order to have access to the electronic system of transport, and to give a reason why the receiver at the destination is unable to receive the garlic as imported from foreign countries to the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade, or the Provincial Commercial Office, which is the destination of transport, via the electronic system of transport.

(2) To upload the photo files (jpg) of the original of the letter of permission for the transport, the photo of the identification card of the receiver at the destination or other evidence showing the identity of the receiver at the destination as issued by a government agency, and the photo of the vehicle which is used for the transport in the manner that the registration number can be clearly seen.

(3) To put the digital signature in the application for giving the reason why the receiver at the destination is unable to receive the garlic as imported from foreign countries by pressing the record.

(4) When the competent official has already been given the reason why the receiver at the destination is unable to receive the garlic as imported from foreign countries, he/she is required to record the aforesaid reason via the electronic system of transport. And it shall be deemed that the giving of the reason why the receiver at the destination is unable to receive the garlic as imported from foreign countries has already been completed.

In the case where the applicant wishes to continue to transport by transporting entering or leaving the specified district areas pursuant to the Notification of the Central Committee on the Price of Goods and Services, No. 54, B.E. 2562 (2019) Regarding Control of Transport of Garlic Imported from Foreign Countries dated 4 July B.E. 2562 (2019), he/she is required to reapply for the permission under this Notification.

Article 15. The letter of permission for the transport of the garlic as imported from foreign countries which has been issued in accordance with the Notification of the Office of the Central Committee on the Price of Goods and Services, No. 11, B.E. 2562 (2019) Regarding Rules and Procedures in relation to Application, Permission, Form of Letter of Permission and Method of Transport of Garlic Imported from Foreign Countries via Electronic System dated 20 June B.E. 2562 (2019), and the duration which is specified in the letter of permission for the transport does not expire on the date when this Notification comes into force, shall be valid until the duration which is specified in the aforesaid letter of permission for the transport expires.

The application for the letter of permission for the transport of the garlic as imported from foreign countries which has been filed prior to the date of this Notification coming into force and still under consideration shall be deemed as the application under this Notification mutatis mutandis. In the case where the aforesaid application differs from the application under this Notification, the competent official has authority to order the applicant to amend the application or may order the applicant to provide any document or evidence as necessary in order to comply with this Notification.

Given on the 5th Day of July B.E. 2562 (2019)

Whichai Phochanakij

Director-General of the Department of Internal Trade

Secretary-General of the Central Committee on the Price of Goods and Services