

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

No. 23, B.E. 2560 (2017)

Regarding Declaration of Price, Quantity, Place of Storage and Detail as regards Chemical Fertilizer

Whereas the Central Committee on the Price of Goods and Services has repealed the Notification of the Central Committee on the Price of Goods and Services No. 1, B.E. 2559 (2016) regarding Determination of Goods and Services under Control dated 21 January B.E. 2559 (2016), resulting in the end of enforcement of the Notification of the Central Committee on the Price of Goods and Services No. 22, B.E. 2559 (2016) regarding Declaration of Price, Quantity, Place of Storage and Detail as regards Chemical Fertilizer dated 25 January B.E. 2559 (2016). In the meantime, the Central Committee on the Price of Goods and Services has already reconsidered the exercise of its power regarding the stipulation of the aforesaid measure, it is of the view that the measure requiring a business operator to declare information on the price, the quantity, the place of storage and the detail as regards chemical fertilizer should be maintained in order that the price shall be fair and suitable to the quality, the standard, there shall be the sufficient quantity to meet the need at an appropriate price, and there shall be fairness to all parties involved, particularly agriculturists.

By virtue of Section 9 (2), (3), Section 25 (3), (4), (5) and Section 26 of the Price of Goods and Services Act, B.E. 2542 (1999), the Central Committee on the Price of Goods and Services has therefore issued this Notification, as follows.

Article 1. This Notification shall come into force in all areas of the Kingdom for the period of one year as from the day following the date of its publication.¹

Article 2. In this Notification,

“chemical fertilizer” does not include liquid fertilizer.

Part 1

Declaration of Price and Detail as regards Chemical Fertilizer

Article 3. The producer, the hirer for production or the importer of chemical fertilizer into the Kingdom for distribution shall have to declare the name, the trade name, the quantity of certified nutrient or formula, the cost, the distribution price, the standard, the size, the quantity, the weight per unit of chemical fertilizer as appearing on the date of this

¹ Published in the Government Gazette, Volume 134, Special Part 82 d, Page 103, dated 17th March B.E. 2560 (2017).

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Notification coming into force, within thirty days as from the date of this Notification coming into force.

The producer, the hirer for production or the importer of chemical fertilizer into the Kingdom for distribution, who does a business after the date of this Notification coming into force, or in a case where there is the production or the importation of chemical fertilizer with new formula, shall have to declare the information as specified in paragraph one in advance not less than fifteen days prior to the date of the distribution of goods.

In a case where the producer, the hirer for production or the importer of chemical fertilizer into the Kingdom for distribution has already declared information in accordance with the Notification of the Central Committee on the Price of Goods and Services No. 22, B.E. 2559 (2016) regarding the Declaration of Price, Quantity, Place of Storage and Detail as regards Chemical Fertilizer dated 25 January B.E. 2559 (2016), this shall be deemed that the declaration under paragraph one of this Notification has already been made.

Article 4. It is prohibited for the producer, the hirer for production or the importer into the Kingdom for distribution to distribute chemical fertilizer in a manner of being different from the declared list or the distribution at a price higher than the declared price under Article 3, unless the aforesaid person receives a permission from the Secretary-General of the Central Committee on the Price of Goods and Services.

The application for permission and the permission under paragraph one shall be in accordance with the Regulation of the Central Committee on the Price of Goods and Services regarding the Stipulation of Rules and Procedures for Consideration of Price Determination and Change in Declared List or Declared Price B.E. 2545 (2002) dated 16 August B.E. 2545 (2002).

In a case where the producer, the hirer for production or the importer into the Kingdom for distribution has already filed the application for permission for change in the list or the price which is different from that has been declared under the Notification of the Central Committee on the Price of Goods and Services No. 22, B.E. 2559 (2016) regarding the Declaration of Price, Quantity, Place of Storage and Detail as regards Chemical Fertilizer dated 25 January B.E.2559 (2016), this shall be deemed that the application for permission under paragraph one and paragraph two of this Notification has already been filed as from the date of this Notification coming into force.

Part 2

Declaration of Quantity, Place of Storage and Detail as regards Chemical Fertilizer

Article 5. The producer, the hirer for production, the importer into the Kingdom for distribution, and the distributor, whereby the monthly quantity of distribution of chemical fertilizer starts from one hundred metric tons upward, shall declare the name, the trade name, the quantity of certified nutrient or formula, the quantity of purchase, the quantity of production, the quantity of hire of production, the quantity of importation, the quantity of

distribution, the remaining quantity, and the place for chemical fertilizer storage at the end of every month within the 10th date of the following month. The declaration of information starts from the information of January B.E. 2560 (2017) onwards.

In a case where the distributor has already declared the information under paragraph one, he/she shall have to continue to declare the aforesaid information whether there is the possession exceeding the quantity as specified or not.

Part 3

Method of Declaration

Article 6. The declaration under Article 3 or Article 5 or the application for permission under Article 4 shall be made to the Secretary-General of the Central Committee on the Price of Goods and Services in the form prescribed by the Secretary-General of the Central Committee on the Price of Goods and Services at the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade, Ministry of Commerce.

The declaration under paragraph one shall be made by registered and replied mail, facsimile or electronic data, whereby the date when there is a daily seal affixed at the origin post office shall be deemed as the date of declaration. In a case of the declaration by facsimile, the date when the facsimile is received by a competent official shall be deemed as the date of intention of declaration. In a case of the declaration by electronic data, the date when the electronic data enters into the data system of the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade, Ministry of Commerce shall be deemed as the date of declaration.

The declaration by facsimile under paragraph two shall be valid when the producer, the hirer for production, the importer into the Kingdom for distribution, or the distributor has already submitted the original document to the Secretary-General of the Central Committee on the Price of Goods and Services.

The producer, the hirer for production, the importer into the Kingdom for distribution, or the distributor, who wishes to declare information via electronic data, shall have to sign in the memorandum of agreement to declare information via electronic data in accordance with the rules and procedures as prescribed by the Secretary-General of the Central Committee on the Price of Goods and Services.

Article 7. When the producer, the hirer for production, the importer into the Kingdom for distribution, or the distributor has requested the Secretary-General of the Central Committee on the Price of Goods and Services to extend the specified period of time in this Notification; or when the Secretary-General of the Central Committee on the Price of Goods and Services has deemed as appropriate; the Secretary-General of the Central Committee on the Price of Goods and Services may give an order to make an extension of the specified period of time prior to the expiry date of such period.

Nevertheless, such extension shall be made only when there is a special circumstance or an unavoidable event; and the producer, the hirer for production, the importer into the Kingdom for distribution, or the distributor has requested; or the Secretary-General of the Central Committee on the Price of Goods and Services has given an order prior to the expiry date of such period, except for the case of force majeure.

Given on the 24th Day of January B.E. 2560 (2017)

Apiradi Tantraporn

Minister of Commerce

Chairperson of the Central Committee on the Price of Goods and Services