

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

No. 10, B.E. 2563 (2020)

Regarding Setting of Sale Price and Declaration of Information on Hygienic Mask

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. 1, B.E. 2563 (2020) Regarding Determination of Additional Goods under Control dated 4 February B.E. 2563 (2020), prescribing the hygienic mask to be the controlled goods.

Whereas the Central Committee on the Price of Goods and Services passed the resolution on 4 March B.E. 2563 (2020), prescribing that the seller of the hygienic mask shall sell the hygienic mask at a price not higher than the price as set. Additionally, the producer shall declare the capital cost of production, and the importer shall declare the price of importation. Both of them shall also declare within the date of changing the information in order that the price of the hygienic mask shall be consistent with the capital cost, the expense, and fair to all parties involved.

By virtue of Section 9 (2), (3), Section 25 (1), (2), (4), (5), and paragraph one of Section 26 of the Price of Goods and Services Act, B.E. 2542 (1999), the Central Committee on the Price of Goods and Services therefore issues 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 publication¹, except for paragraph two of Article 3 being enforceable until 8 March B.E. 2563 (2020).

Article 2. In this Notification,

“capital cost” means

(1) the price of importation (CIF), tax and import duty included, as for the hygienic mask as imported from foreign countries; or

(2) the factory’s capital cost of production as for other hygienic masks as produced in the country.

¹ Published in the Government Gazette, Volume 137, Special Part 53 d, Page 8, dated 6 March B.E. 2563 (2020).

Chapter 1
Setting of Purchase Price

Article 3. The seller of the surgical mask as produced in the country shall sell the mask by retail at a price (value added tax included) not higher than 2.50 baht per piece.

The provision set out in paragraph one shall not be enforceable to the sale of the surgical mask which is not subject to the management of the Goods Management Center for Hygienic Mask under the supervision of the Department of Internal Trade, Ministry of Commerce.

Article 4. The seller of the surgical mask as imported from foreign countries or other hygienic masks as imported from foreign countries or produced in the country, except for the hygienic mask which is produced from fabric and capable of being reused, shall sell the mask at a price not higher than the price which is computed by the following methods.

(1) The price of the mask to be sold by the importer or the producer shall be computed by a method of combining the capital cost with management and transportation costs, returns from sale and other expenses not exceeding 10 percent of the capital cost.

(2) The price of the mask to be sold by the wholesaler shall be computed by a method of combining the price as specified in (1) with management and transportation costs, returns from sale and other expenses not exceeding 10 percent of the price as specified in (1),

(3) The price of the mask to be sold by the retailer shall be computed by a method of combining the price as specified in (2) with the cost of distributing goods, returns from sale and other expenses not exceeding 23 percent of the price as specified in (2).

The price as specified in (1), (2) and (3) shall not include value added tax.

Chapter 2
Declaration of Information

Article 5. The importer of the surgical mask as imported from foreign countries or other hygienic masks as imported from foreign countries, except for the hygienic mask which is produced from fabric and capable of being reused, shall declare the information relating to the price of importation. The declaration must be made within the date of every time importing the mask into the Kingdom.

The producer of other hygienic masks as produced in the country, except for the hygienic mask which is produced from fabric and capable of being reused, shall declare the information relating to the current capital cost of production. The declaration must be made within the date of this Notification coming into force.

Article 6. In the case where there is a change in the information as declared under Article 5, such a change must be declared within the date of the change.

Article 7. The declaration under Article 5 or Article 6 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 electronic data, electronic mail (email) or facsimile. In 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. In case of the declaration by electronic mail (email), the date when the electronic mail (email) is received by a competent official shall be deemed as the date of intention of declaration. In 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.

The declaration by facsimile or electronic mail (email) under paragraph two shall be valid when the producer and the importer have already submitted the original document to the Secretary-General of the Central Committee on the Price of Goods and Services.

The producer or the importer who wishes to declare the information via electronic data shall sign in the memorandum of agreement to declare the 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 8. When the producer or the importer 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 a period.

Nevertheless, such an extension shall be made only when there is a special circumstance or an unavoidable event; and the producer or the importer 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 a period, except for the case of force majeure.

Given on the 5th Day of March B.E. 2563 (2020)

Jurin Laksanawisit

Minister of Commerce

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