

**Regulation of the Office of the Central Committee on the Price of Goods and Services**  
Governing Rules and Procedures of Declaration via Electronic Data,  
B.E. 2551 (2008)

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Whereas the Central Committee on the Price of Goods and Services has issued the Notification to prescribe measures requiring a business operator to declare information on goods, such as structural steel, flat steel, rebar, chemical fertilizer, cement, motorcycle tire, automobile tire, motorcycle, passenger car, small truck, detergent, dishwashing product, liquefied petroleum gas filled in a container (LPG), by registered and replied mail, facsimile or electronic data, provided that the aforesaid declaration shall be valid when the original document has already been submitted to the Secretary-General. In declaring via the electronic data, it is required that a person who wishes to declare via the electronic data, shall have to sign in the memorandum of agreement to declare via the electronic data in accordance with the rules and procedures as prescribed by the Secretary-General.

In order that the declaration via the electronic data shall be subject to the clear procedures and the same norms, by virtue of Section 16 (5) of the Price of Goods and Services Act, B.E. 2542 (1999), which is the Act containing certain provisions in relation to the restriction of right and liberty of a person, in respect of which Section 29 in conjunction with Section 32, Section 33, Section 34, Section 41 and Section 43 of the Constitution of the Kingdom of Thailand so permit by virtue of the provisions of the law, the Secretary-General the Central Committee on the Price of Goods and Services has therefore issued this Regulation, as follows.

**Article 1.** This Regulation is called the “ Regulation of the Office of the Central Committee on the Price of Goods and Services Governing Rules and Procedures of Declaration via Electronic Data, B.E. 2551 (2008)”.

**Article 2.** This Regulation shall come into force as from the day following the date of its publication onwards.<sup>1</sup>

**Article 3.** In this Regulation,

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

“ Office ” means the Office of the Central Committee on the Price of Goods and Services;

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<sup>1</sup> Published in the Government Gazette, Volume 125, Special Part 113 d, Page 19, dated 7<sup>th</sup> July B.E. 2551 (2008).

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“informant” means a producer, a hirer for production, an importer into the Kingdom for distribution, a copyright owner, a licensee of a copyright owner or an authorized person to collect remuneration, a packing divider, or a sole distributor of a producer, a sole distributor of a hirer for production, a sole distributor of an importer into the Kingdom, a gas trader, a gas filling person, including a business operator under the Notification of the Central Committee on the Price of Goods and Services;

“representative of informant” means a person who is appointed by the informant to act on his/her behalf in declaring information pursuant to the Notification of the Central Committee on the Price of Goods and Services to the Secretary-General via the electronic data;

“electronic data” means alphabets, numbers, pictures or patterns in connection with the remuneration, the expense, the cost, the price, the quantity, the place of storage and the detail of goods and services under the Notification of the Central Committee on the Price of Goods and Services;

“server” means the system of computer device which provides the service of the data system of the Office of the Central Committee on the Price of Goods and Services;

“data system” means data processing by an electronic device which produces, sends, receives, maintains or processes the data by electronic means.

**Article 4.** The informant who wishes to declare via the electronic data to the Secretary-General is required to submit the memorandum of agreement to declare via the electronic data to the Office as evidence pursuant to the form of Sor.Kor.Kor.Ror. 01 as attached to this Regulation. In this regard, the Office shall inform the informant of the number of the informant and the password for entering to the data system.

**Article 5.** The informant under Article 4 who wishes to appoint the representative in charge of declaring via the electronic data including the ambit of duty of the aforesaid representative is required to submit a letter of appointing the representative of the informant in declaring via the electronic data pursuant to the form of Sor.Kor.Kor.Ror. 02 together with the memorandum of agreement under Article 4.

In a case of the removal or the change of the representative of the informant and the ambit of duty, the removal or the change shall be submitted in accordance with the form as prescribed by the Secretary-General. The letter of appointing, removing or changing the representative of the informant and the ambit of duty shall be signed by the authorized person who can sign to bind the informant in accordance with the form of Sor.Kor.Kor.Ror. 03 as attached to this Regulation.

**Article 6.** When the informant has received the number of the informant and the password for entering to the data system of the Office in declaring via the electronic data, the informant shall be responsible to keep the aforesaid number and password in secret. In this regard, the informant shall not allow or commit any act or give a chance to other

person who is not the representative of the informant to be able to perceive the number of the informant and the password.

The informant shall have to notify the Office immediately when the informant acknowledges that the number of the informant and the password is perceived or stolen to be used by other person. The notification shall be made in writing. In an urgent case, the notification shall be made by facsimile, and the written notification shall be submitted to the Office in the following working day.

The informant cannot claim the cause under paragraph one to deny an obligation in the electronic data which the Office has already received before the informant notifies the Office of the cause under paragraph two.

**Article 7.** In declaring via the electronic data, the informant is required to supervise the representative of the informant to proceed pursuant to a manual of the declaration via the electronic data as prescribed by the Office.

**Article 8.** The declaration or the receipt of the electronic data shall be in compliance with the following terms.

(1) The date and time appearing on the server at the time when the Office receives the electronic data shall be deemed as the date and time of receiving the declaration.

(2) It shall be deemed that the Office receives the electronic data when the Office replies in the electronic data with the wordings “ having already received pursuant to the technical terms” or similar wordings.

(3) The head office of the informant shall be the place of declaring via the electronic data and the Office shall be the place of receiving via the electronic data.

**Article 9.** In a case where there is force majeure, hindrance or other causation which the informant is unable to declare or to receive the electronic data pursuant to this Regulation as usual, the informant may not claim the aforesaid causation in order that he/she shall not perform his duty concerning the declaration of information pursuant to the Notification of the Central Committee on the Price of Goods and Services by other means.

**Article 10.** The Secretary-General of the Central Committee on the Price of Goods and Services shall have charge and control of the execution of this Regulation.

Given on the 29<sup>th</sup> Day of May B.E. 2551 (2008)

Yanyong Puangraj

Director-General of the Department of Internal Trade

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