

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

No. 40, B.E. 2566 (2023)

Regarding Declaration of Price and Detail as regards Cement¹

Whereas the Notification of the Central Committee on the Price of Goods and Services No. 13, B.E. 2565 (2022) regarding Determination of Goods and Services under Control dated 29th June B.E. 2565 (2022) comes to an end, resulting in the end of enforcement of the Notification of the Central Committee on the Price of Goods and Services No. 44, B.E. 2565 (2022) regarding Declaration of Price and Detail as regards Cement dated 1st July B.E. 2565 (2022). 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 the price and detail as regards cement should be maintained by adding a declaration of information on another type of cement which is Hydraulic cement GU (a type of general use), in order to monitor the price movement in order that the price shall be fair and there shall be the prevention of taking advantage of opportunity from consumers.

By virtue of Section 9 (2), (3), Section 25 (3), (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 publication, except for there being the issuance of a new notification.

Article 2. The producer, the producer's sole distributor of mixed cement, Portland cement, type 1, being commonly used, special quality not required, or Hydraulic cement GU (a type of general use), shall declare the name, the trade name, the distribution price, the purchase price, the discount in distribution, the plan and method of distribution in relation to the payment, the promotion of distribution, the size, the weight per unit, as appearing on the date of this Notification coming into force, by declaring within thirty days as from the date of this Notification coming into force.

¹ Published in the Government Gazette, Volume 140, Special Part 196 d, Page 248, dated 17th August B.E. 2566 (2023).

The producer, the producer's sole distributor of mixed cement, Portland cement, type 1, being commonly used, special quality not required, or Hydraulic cement GU (a type of general use), who do a business after the date of this Notification coming into force, shall 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 the case where the producer, the producer's sole distributor of mixed cement or Portland cement, type 1, being commonly used, special quality not required, have already declared information in accordance with the Notification of the Central Committee on the Price of Goods and Services No. 44, B.E. 2565 (2022) regarding the Declaration of Price and Detail as regards Cement dated 1st July B.E. 2565 (2022), it shall be deemed that the declaration under paragraph one of this Notification has already been made.

Article 3. In the case of having an intention to distribute cement in a manner of being different from the declared list or at a price higher than the declared price under Article 2, the declaration of such change shall be made in advance not less than fifteen days.

In the case where the producer, the producer's sole distributor of mixed cement or Portland cement, type 1, being commonly used, special quality not required, have already declared the information on the distribution of cement in a manner of being different from the declared list or at a price higher than the declared price under the Notification of the Central Committee on the Price of Goods and Services No. 44, B.E. 2565 (2022) regarding the Declaration of Price and Detail as regards Cement dated 1st July B.E. 2565 (2022), it shall be deemed that the declaration of change in the list or the price under paragraph one has already been made. Nevertheless, the list can be changed, or the price can be adjusted to be higher, when the period of fifteen days as from the date of this Notification coming into force has elapsed.

Article 4. The declaration under Article 2 or Article 3 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, the Ministry of Commerce.

The declaration under paragraph one shall be made by registered and replied mail, facsimile, electronic mail (email) 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 the 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 the 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. And in the 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, the Ministry of Commerce shall be deemed as the date of declaration.

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

The producer, the producer's sole distributor who wish to declare information via electronic data shall sign 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 5. When the producer, the producer's sole distributor have 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 extension shall be made only when there is a special circumstance or an unavoidable event; and the producer, the producer's sole distributor have 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 1st Day of July B.E. 2566 (2023)

Jurin Laksanawisit

Minister of Commerce

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