

## Ministerial Regulation

Permission Granted to Manufacturer or Repairer to Be Person to Inspect and Verify  
Measuring Instruments Manufactured or Repaired by Such Manufacturer or Repairer,  
B.E. 2563 (2020)

-----

By virtue of paragraph one of Section 5 of the Measurement Act, B.E. 2542 (1999) as amended by the Measurement Act (No. 3), B.E. 2557 (2014) and paragraph two of Section 41, paragraph two of Section 43 and paragraph two of Section 50 of the Measurement Act, B.E. 2542 (1999), the Minister of Commerce therefore issues this Ministerial Regulation, as follows.

**Article 1.** This Ministerial Regulation shall come into force after a lapse of ninety days from the date of its publication in the Government Gazette onwards.<sup>1</sup>

**Article 2.** The following shall be repealed:

(1) Ministerial Regulation Laying down Rules of Practice for Business Operator in respect of Measurement, B.E. 2544 (2001),

(2) Ministerial Regulation Laying down Rules of Practice for Business Operator in respect of Measurement (No. 2), B.E. 2549 (2006).

**Article 3.** The manufacturer or the repairer of measuring instruments with an intention to request permission to be a person to inspect and verify the measuring instruments which are manufactured or repaired by himself or herself shall file an application together with document or evidence as specified in the form as prescribed by the Central Bureau to the Director-General or the person entrusted by the Director-General.

**Article 4.** The manufacturer or the repairer with an intention to request permission to be a person to inspect and verify the measuring instruments which are manufactured or repaired by himself or herself under Article 3 shall comply with the rules, as follows:

(1) to have a certificate of business operation in the manufacture or repair of the measuring instrument in the type that such manufacturer or repairer wishes to ask for

---

<sup>1</sup> Published in the Government Gazette, Volume 138, Part 4 a, Page 4, dated 22<sup>nd</sup> January B.E. 2564 (2021).

permission and to notify the business operation according to the Measurement Act, B.E. 2542 (1999),

(2) to provide a measurement standard in number and capacity for the accuracy inspection of the measuring instrument for each type as prescribed by the Central Bureau,

(3) to have a laboratory or a place together with tools and equipment necessary for the inspection and verification of the measuring instrument for each type as prescribed by the Central Bureau, and

(4) to have personnel who have the knowledge and capability to do the job of weights and measures, whereby they shall receive a certificate in the completion of measurement training issued by the agency which is stipulated by the Central Bureau.

**Article 5.** Upon having already received the application together with document or evidence under Article 3, procedures for considering and issuing a permit shall be completed within ten working days as from the date of receiving the application together with document or evidence with correctness and completeness according to the following steps.

(1) A competent official shall check whether or not the application and document or evidence are correct and complete. In the case where the application, document or evidence is incorrect or incomplete, the competent official shall notify the applicant that he or she is required to amend the application, document or evidence or to submit the correct and complete document or evidence within thirty days after receiving the notification. The competent official and the applicant shall write their signatures in a record, and a copy of the record shall be given to the applicant as evidence. If the applicant can neither make the amendment nor submit the correct and complete document or evidence within a specified period, the competent official shall return the application to the applicant; meanwhile, the competent official shall also give the applicant a written notification of the cause of returning the application.

(2) In the case where the application and document or evidence are correct and complete, the competent official shall check that the applicant has already complied with the rules as laid down in Article 4, and make a report on the check together with his or her opinion which shall be presented to the Director-General or the person entrusted by the Director-General for considering the issuance of a permit.

(3) Upon having already received the correct and complete application and document or evidence and it appears from the report of the check made by the competent official under (2) that the applicant has already complied with the rules as laid down in Article 4, the Director-General or the person entrusted by the Director-General shall consider and issue a permit to be a person to inspect and verify the measuring instruments.

The term under paragraph one shall not include the period during which the competent official, the Director-General or the person entrusted by the Director-General gives an order for the applicant to take action under (3) or Article 4 correctly.

**Article 6.** In granting permission for the manufacturer or the repairer to be a person to inspect and verify the measuring instruments which are manufactured or repaired by himself or herself, it is required to specify the category and the type of a weighing machine, a volume measuring tool or a measure in a permit.

The permit to be a person to inspect and verify the measuring instruments shall take the form as prescribed by the Central Bureau. It is also required to specify the term of validity in the permit, which shall not exceed five year each from the date of the issuance of each permit.

**Article 7.** A permit holder to be a person to inspect and verify the measuring instruments shall comply with the rules under Article 4 throughout the period of obtaining the permit, and submit a report on the result of the performance of his or her duties to the Central Bureau or the Branch Bureau having jurisdiction in a province in which the place of business operation is located pursuant to regulations as made by the Central Bureau.

The permit holder to be a person to inspect and verify the measuring instruments, who wishes to change or add the item of the measurement standard under Article 4 (2) or the laboratory or the place under Article 4 (3) or the personnel under Article 4 (4), shall file an application together with document or evidence as specified in the form as prescribed by the Central Bureau to the Director-General or the person entrusted by the Director-General, and the provisions of Article 5 shall be applied *mutatis mutandis*.

**Article 8.** The permit holder to be a person to inspect and verify the measuring instruments, who wishes to renew the permit, shall file an application for the renewal of the permit together with document or evidence as specified in the form as prescribed by the Central Bureau to the Director-General or the person entrusted by the Director-General within thirty days prior to the expiry date of the permit, and the provisions of Article 5 shall be applied *mutatis mutandis*.

In granting the permission for the renewal of the permit under paragraph one, the Director-General or the person entrusted by the Director-General shall issue the permit pursuant to the form as prescribed by the Central Bureau. The wording of the renewal and the term of the renewal shall also be specified in the final part of the permit.

**Article 9.** In the case where the permit is lost or destroyed, the permit holder shall file an application for a permit substitution together with document or evidence as specified in the form as prescribed by the Central Bureau to the Director-General or the person entrusted by the Director-General within fifteen days as from the date of knowing of such loss or destruction.

When a competent official has already checked and found that the application and document or evidence are correct and complete, he or she shall submit a report on the check to the Director-General or the person entrusted by the Director-General for the issuance of the permit substitution.

The permit substitution shall take the form as prescribed by the Central Bureau, whereby the wording “a permit substitution” shall be stated in the front.

**Article 10.** The submission of the application under this Ministerial Regulation shall be mainly made by electronic means. In the case where the electronic means cannot be proceeded for any reason whatsoever, the application shall be submitted at the Central Bureau or the Branch Bureau having jurisdiction in a province in which the place of business operation is located.

**Article 11.** The permit to be a person to inspect and verify the measuring instruments which was issued prior to the date of this Ministerial Regulation coming into force shall remain in force until the expiration of the permit.

**Article 12.** All applications which were filed prior to the date of this Ministerial Regulation coming into force and still under consideration shall be deemed as those under this Ministerial Regulation *mutatis mutandis*. And in the case where such applications differ from those under this Ministerial Regulation, a competent official shall have the power to give the order to make revisions where necessary in order to comply with this Ministerial Regulation.

**Article 13.** All notifications and rules which were issued under the Ministerial Regulation Laying down Rules of Practice for Business Operator in respect of Measurement, B.E. 2544 (2001) and still enforceable prior to the date of this Ministerial Regulation coming

into force shall remain in force as long as they are not contrary to or inconsistent with this Ministerial Regulation, until notifications or rules under this Ministerial Regulation come into force.

Given on the 30<sup>th</sup> Day of December B.E. 2563 (2020)

Jurin Laksanawisit

Minister of Commerce

Remark :- The reason for proclaiming the use of this Ministerial Regulation is that the rules, procedures and conditions on the request for permission and the issuance of a permit, the application for the renewal of a permit and the permission, and the application for a permit substitution and the issuance of a permit substitution to a manufacturer or a repairer to be a person to inspect and verify the measuring instruments manufactured or repaired by such manufacturer or repairer as imposed in the Ministerial Regulation Laying down Rules of Practice for Business Operator in respect of Measurement, B.E. 2544 (2001), as amended by the Ministerial Regulation Laying down Rules of Practice for Business Operator in respect of Measurement (No. 2), B.E. 2549 (2006) have been enforceable for a long time; additionally, certain procedures are unclear for business operators and competent officials. Therefore, there should be revisions to the aforesaid rules, procedures and conditions in order that they shall be suitable and clearer, hereby, it is necessary to issue this Ministerial Regulation.