

(GARUDA EMBLEM)

Ministerial Regulation No. 5
B.E. 2535 (1992)
Issued pursuant to the Factory Act B.E.2535 (1992)

By the virtue of section 6, section 12, section 15, section 18, section 21 paragraph three and section 22 paragraph four of the Factory Act B.E. 2535 (1992), the Minister of Industry hereby issues the Ministerial Regulation as follows:

Clause 1 Anyone wishes to apply for a factory permit or to request for factory expansion permit shall submit a permit application using the Form Ror.Ngor.3 annexed to this Ministerial Regulation.

Clause 2 Anyone wishes to renew an existing factory permit shall submit a renewal application using the Form Ror.Ngor.3/1 annexed to this Ministerial Regulation accompanying with the current permit.

Clause 3 Anyone wishes to be a transferee of factory business shall submit a transfer application using the Form Ror.Ngor.3/2 annexed to this Ministerial Regulation.

Clause 4 For the application process under clause 1, clause 2, or clause 3, a factory located in Bangkok Metropolitan Area shall submit two copies of application to Department of Industrial Works, while the one located in other provinces shall submit three copies of application to Provincial Office of Industry in such province.

Clause 5 For the renewal application of a factory permit, a recipient of the permit shall pay a renewal fee along with the submission of application. In case a recipient of the permit files the renewal application within the period of sixty days as from the date of expiration of the permit, the recipient is also required to pay a fine of 20% of the renewal fee in extra.

Clause 6 The Form Ror.Ngor.4 annexed to this Ministerial Regulation shall be used for granting a factory permit, a factory expansion permit, a factory renewal permit, and factory transfer permit.

Clause 7 The process of granting a factory permit and a factory expansion permit shall be as the following procedure and time period.

(1) Upon receiving an application, the authority shall conduct a site visit and inspection of location, building, and facility, including any machine or equipment employed. The authority shall also examine legitimacy of the documents, and compose an inspection report within 30 days.

(2) The authority must process the application and conclude the result within 50 days.

(3) The authority shall notify the applicant the status of the application within 10 days.

The time period specified shall omit the time that the applicant used to complete all requirements directed by the competent authority and/or the time await for an approval from other agency as set forth in the law.

Clause 8 In case where there is an issuance of order to revoke, modify or append conditions in the permit, the recipient of the permit shall submit the permit to the authority to record any revocation, modification or addition of such condition within the time period specified by the authority.

Clause 9 In the process of granting the transfer permit of factory business, the authority shall ensure in written the realization of the transferee of the factory business about the present right, duty, and liability of the transferor to the public service and to the law on environmental protection.

Given on the 24th day of September B.E. 2535 (1992)

Sippanon Kettat
(Mr. Sippanon Kettat)

Minister of Industry

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Note: The reason for the enactment of this ministerial regulation is prescribed in the Factory Act B.E. 2535 (1992) that the form, criteria, and condition relating to a permit application and granting of the permit for the group 3 factory to engage in business, expand its business, renew the permit, and transfer the business shall be in accordance with those provided for in the Ministerial Regulation; it is therefore necessary to issue this ministerial regulation.