

(GARUDA EMBLEM)

Ministerial Regulation No. 12
B.E. 2540 (1997)
Issued pursuant to the Factory Act B.E.2535 (1992)

By the virtue of section 6 and section 43 of the Factory Act B.E. 2535 (1992), the Minister of Industry hereby issues the Ministerial Regulation as follows:

Clause 1 To repeal Clause 1 of the Ministerial Regulation No. 8 (B.E. 2535 (1992)) issued pursuant to the Factory Act B.E. 2535 (1992) and apply the following statement instead.

“Clause 1 A person engaging in a group 2 factory business or a group 3 factory business shall pay an annual fee since the commencement day of its business as notified or as notified in accordance with the Ministerial Regulation issued by the virtue of section 11 paragraph two of the Factory Act B.E. 2535 (1992), and shall pay the fee on annually basis.

For a payment of the annual fee as in paragraph one of the factory located in an industrial zone in accordance with section 30 of the Factory Act B.E. 2535 (1992) after the coming into force of the Ministerial Regulation issued by the virtue of section 7 of the Factory Act B.E. 2535 (1992), the actual day of beginning its business shall be used as the commencement day.

For a payment of the annual fee as in paragraph one of the factory which starts operation without notifying the commencement day of its business, the day of beginning its business that can be proved shall be used as the commencement day.

The factory located in an industrial estate established under the law on Industrial Estate Authority of Thailand shall be exempted from the annual fee payment.”

Clause 2 To repeal Clause 1 and Clause 2 of the Ministerial Regulation No. 8 (B.E. 2535 (1992)) issued pursuant to the Factory Act B.E. 2535 (1992) and apply the following statement instead.

“Clause 2 A factory business operator shall present a proof of notification document or a factory permit along with a payment of the annual fee. This provision shall not apply to the factory located in an industrial zone in accordance with section 30 of the Factory Act B.E. 2535 (1992).

Clause 3 A factory located in Bangkok Metropolitan Area shall submit a payment of the annual fee to Department of Industrial Works, while the one located in other provinces shall submit a payment of the annual fee to Provincial Office of Industry in such province.

Given on the 30th day of May B.E. 2540 (1997)

Korn Thapparangsri
Minister of Industry

Note: The reason for the enactment of this ministerial regulation is based on the fact that nowadays there are many factories are located in widespread areas which make it difficult to control pollution arising from such business activity. To convince factory business operators to set up their business together in an industrial estate where there is a measure to prevent and control industrial pollution, a group 2 factory and group 3 factory located in an industrial estate established under the law on Industrial Estate Authority of Thailand, therefore, deserve to be exempted from the annual fee; it is therefore necessary to issue this ministerial regulation.