

(GARUDA EMBLEM)

Ministerial Regulation

No. 2 (B.E. 2537 (1994))

Issued pursuant to the Hazardous Substance Act B.E.2535 (1992)

By the virtue of section 5 paragraph two and section 42 paragraph one of the Hazardous Substance Act B.E. 2535 (1992), the Minister of Industry hereby issues the Ministerial Regulation as follows:

Clause 1 Any person who produces, imports, exports or possesses type 2 hazardous substances for commercial purposes shall pay an annual fee on the day of notification of production, import, export or possession of hazardous substance, and shall continue to pay the annual fee no later than the end of the one-year period beginning from the day of notifying of such activities.

Any person who produces, imports, exports or possesses type 3 hazardous substances for commercial purposes shall pay an annual fee on the day that the permit for production, import, export or possession of hazardous substance is granted, and shall continue pay the annual fee no later than the end of the one-year period beginning from the day of granting the permit.

In case where a notification has not been made under paragraph one or a permit has not been granted under paragraph two, the commencement date of the business as actually proven shall be used as the day for collecting the annual fee.

Clause 2 Form WoAo.10, annexed to this Ministerial Regulation, shall be used as an application form for payment of the annual fee.

Clause 3 Any person who produces, imports, exports or possesses type 2 or type 3 hazardous substances for commercial purposes shall submit an application for payment of the annual fee to the responsible agency for that particular hazardous substance.

The person having in possession for commercial purposes of several hazardous substances, which may be under the authorization of several agencies, shall submit an application for payment of the annual fee to Department of Industrial Works, Ministry of Industry.

The responsible agency under paragraph one and paragraph two may assign other agencies, as designated by the responsible minister by a publication in the Government Gazette, to be the collector for the annual fee.

Clause 4 The annual fee shall be prescribed as follows:

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|-----|--|---------------------|
| (1) | a producer of type 2 and/or type 3 hazardous substances with a total production quantity of at least 500 kilograms or 500 liters but not more than 10 metric tons | 2,500 Baht per year |
| (2) | a producer of type 2 and/or type 3 hazardous substances with a total production quantity of more than 10 metric tons | 5,000 Baht per year |
| (3) | an importer of type 2 and/or type 3 hazardous substances with a total imported quantity of at least 500 kilograms or 500 liters but not more than 10 metric tons | 2,500 Baht per year |
| (4) | an importer of type 2 and/or type 3 hazardous substances with a total imported quantity of more than 10 metric tons | 5,000 Baht per year |
| (5) | an exporter of type 2 and/or type 3 hazardous substances with a total exported quantity of at least 500 kilograms or 500 liters but not more than 10 metric tons | 2,500 Baht per year |
| (6) | an exporter of type 2 and/or type 3 hazardous substances with a total exported quantity of more than 10 metric tons | 5,000 Baht per year |
| (7) | a person who possesses type 2 and/or type 3 hazardous substances for commercial purposes with a total quantity of at least 1 metric ton but not more than 10 metric tons or has an area specifically used for storage of at least 50 square meters but not more than 500 square meters | 2,500 Baht per year |
| (8) | a person who possesses type 2 and/or type 3 hazardous substances for commercial purposes with a total quantity of at least 10 metric tons but not more than 100 metric tons or has an area specifically used for storage of at least 500 square meters but not more than 1,000 square meters | 5,000 Baht per year |
| (9) | a person who possesses type 2 and/or type 3 hazardous substances for commercial purposes with a total quantity | |

of at least 100 metric tons or has an area specifically used
for storage of at least 1,000 square meters 10,000 Baht per year

Clause 5 A producer, importer or exporter of hazardous substances, who is liable for the payment of annual fees in more than one category, shall only pay for the annual fee in the highest category.

Clause 6 A person who possesses hazardous substance for retail shall be exempt from the annual fee.

Clause 7 A person who sells hazardous substance shall be exempt from the annual fee.

Clause 8 A person who produces, imports, exports or possesses type 2 or type 3 hazardous substances for commercial purposes on the day that this Ministerial Regulation enters into force, and has been granted a permit issued under the law on toxic substances shall be exempt from the annual fee until the expiration of such permit.

Given on the 27th October B.E. 2537 (1994)

(signed) Sanan Kajornprasart
(Major-General Sanan Kajornprasart)
Minister of Industry

(Published in the Government Gazette, Volume 111, Part 51a, dated 16th November B.E. 2537 (1994))

Application form for payment of annual fee under The Hazardous Substance Act B.E. 2535

WoAo. 10

Name

Address: Moo Soi

Street Tambon/Sub-district Amphur/District

Province..... Postal code..... Phone No Fax No.....

Type of operation:.....

Type hazardous substance under notification or permit no.....dated.....

Name of business..... Located at Street.....

Moo..... Tambon/Sub-district.....Amphur/District.....

Province.....Postal code..... Phone no.....Fax No.....

Wish to pay the annual fee for the said operation for the year B.E.

In the amount ofBaht (.....)

Herewith I have enclosed the copy of notification or permit (if available)

(Signature).....Submitter
 (.....)