WEIGHTS AND MEASURES ACT B.E. 2542 (1999)

H.M. KING BHUMIBOL ADULYADEJ
Given on the 7th day of April B.E. 2542 (1999),
being the 54th year of the present reign.

BY ROYAL COMMAND OF HIS MAJESTY KING BHUMIBOL,
ADULYADEJ, IT IS HEREBY PROCLAIMED THAT;

WHEREAS it is deemed expedient to improve the law on weights and mea-

sures, which has some provisions concerning the restriction of personal rights and
freedom in life and body, the restriction of freedom in dwelling place, the restriction of
private rights in property, and the restriction of freedom to engage in any enterprise or
occupation, free and fair competition as allowed by Sections 29, 31, 35, 48 and 50 of
the Constitution of the Kingdom of Thailand to be provided in accordance with the
provisions of the law.

IT IS HEREBY ENACTED by the King's Most Excellent Majesty, by and with
the advice and consent of the national legislature as follows:

PRELIMINARY

Section 1 This Act shall be called the “Weights and Measures Act B.E. 2542”.

Section 2 This Act shall come into force upon the expiration of one hundred and
eighty days from the date of its publication in the Government Gazette.

Section 3 The following shall be repealed:
(1.) Weights and Measures Act B.E. 2486;
(2.) Weights and Measures Act as revised in B.E. 2476;
(3.) Weights and Measures Act B.E.2456 as revised in B.E. 2477;
(4.) The Announcement of the National Executive Council No. 171 dated June 30, B.E. 2515;
(5.) Weights and Measures Act (No.4) B.E. 2526.

Section 4 In this Act:

“Weights and Measures” means a unit fixed to determine the quantity or any comparison of a quantity;

“Weighing and Measuring Instrument” means a weighing instrument, Krueng Tuang (volume-measuring instrument) and measuring instrument;

“Weighing Instrument” means an instrument used for weighing to determine weights, and shall include a weight for weighing and the components of weighing instruments prescribed in the Ministerial Notifications;

“Krueng Tuang” (volume-measuring instrument) means an instrument which serves as a container to determine the volume of an article, and shall include the components of volume-measuring instruments prescribed in the Ministerial Notifications;

“Measuring Instrument” means an instrument used for measuring to determine quantities or units of any article which is not a weighing instrument or a Krueng Tuang, and shall include the component of measuring instruments prescribed in the Ministerial Notifications;

“Providing Weighing or Measuring Services” means the carrying on of the business of weighing or measuring of commodities of other persons for the purpose of purchasing or exchanging of commodities in the manner prescribed in the Ministerial Regulations;

“Packaged Commodity” means a commodity enclosed in a container or wrapped with the intent to be purchased, sold or distributed in the quantity as packed or wrapped, whether or not it is purchased, sold or distributed together with its container or wrapper;

“Packer” means the manufacturer of a packaged commodity, and also means the importer or repacker of a packaged commodity but does not include the seller or distributor of a packaged commodity by ways of dividing its contents with the intention that it is not to be regarded as a packaged commodity;

“Central Bureau” means the Central Bureau of Weights and Measures;

“Branch Bureau” means a branch office of the Central Bureau;

“Competent officer” means a civil service officer appointed by the Minister to
carry out the provisions of this Act;

"Weights and Measures Inspector" means a civil service officer appointed by the Minister to carry out the provisions of this Act;

"Director-General" means the Director-General of the Department of Commercial Registration;

"Minister" means a Minister in charge of the execution of the Act.

Section 5  The Minister of Commerce shall be in charge of the execution of this Act and shall have power to appoint Competent Officers and Weights and Measures Inspectors, and to issue Ministerial Regulations prescribing fees not exceeding those prescribed in the annex to this Act and other matters, and to issue Ministerial Notifications pursuant to the provisions of this Act.

Such Ministerial Regulations and Notifications shall take effect upon publication in the Government Gazette.

CHAPTER 1  General Provisions

Section 6  A Central Bureau of Weights and Measures shall be established in the Department of Commercial Registration, Ministry of Commerce, under the command and responsibility of the Director-General of the Department of Commercial Registration and shall be charged with the following functions and responsibilities;

1. maintaining and preserving the Standards of Weights and Measures;
2. granting and issuing licences and permits;
3. inspecting and verifying Weighing and Measuring Instruments;
4. registering private marks;
5. carrying out other functions pursuant to the provisions of this Act.

Section 7  Branch Bureaus shall be established by the Minister for such districts and areas as he may deem expedient and a Branch Bureau may be assigned to cover any other district or area.
The Minister may assign to the Branch Bureaus all or some of the functions and responsibilities under Section 6.

The establishment of a Branch Bureau pursuant to the first paragraph and the assignment of functions and responsibilities pursuant to the second paragraph shall be in the form of notifications published in the Government Gazette.

Section 8   All types of Weighing Instruments and Krueng Tuangs are subject to the provisions of this Act, except the Weighing Instruments and Krueng Tuangs prescribed by the Minister to be exempted from the application of this Act.

The Measuring Instruments prescribed in the Ministerial Regulations are subject to the provisions of this Act.

Section 9   All Weights and Measures shall be the Metric System of Weights and Measures or the System in customary use adapted to the Metric System prescribed in the annex to this Act.

Section 10 If the Minister considers it is appropriate, for the purchase, selling, or distribution of any commodity in any area, to use the Metric System of Weights and Measures pursuant to Section 9 or to be conducted by weights, by volume, or by measurement, he shall have the power to issue Notifications.

The Notifications issued under the first paragraph shall take effect upon publication in the Government Gazette.

Section 11 In cases where any System of Weights and Measures other than those prescribed in Section 9 must be used or in cases where any other Weighing and Measuring Instrument than those prescribed in the Ministerial Regulations issued pursuant to Section 16 for the professional or scientific purposes, the Weights and Measures under such system or such Weighing and Measuring Instrument shall be used only when permitted by the Minister or the person assigned by the Minister.
CHAPTER 2
Standards of Weights and Measures

Section 12  All Weighing and Measuring Instruments shall be verified their accuracy conditions with those of standards under this Act.

The Standards of Weights and Measures under the first paragraph shall be called in short the "Standards" and consist of the Primary Standards, the Secondary Standards, and the Tertiary Standards.

The Primary Standards are the standards prescribed or certified their accuracy conditions by the International Bureau of Weights and Measures.

The Secondary Standards are the standards calibrated their accuracy conditions with those of the Primary Standards.

The Tertiary Standards are the standards calibrated their accuracy conditions with those of the Secondary Standards.

Section 13  The Minister shall provide the Primary Standards for the calibration of the Secondary Standards.

If any type of the Primary Standards cannot be procured, the Minister shall provide such type of the Primary Standards as he deems appropriate and it shall be regarded as the Primary Standards.

Section 14  The Central Bureau shall provide the Secondary Standards for the calibration of the Tertiary Standards.

Section 15  The Central Bureau and the Branch Bureaus shall provide the Tertiary Standards for the verification of Weighing and Measuring Instruments.
CHAPTER 3
Weighing and Measuring Instruments

Section 16 The Minister shall prescribe the types and characteristics of Weighing and Measuring Instruments and details of materials of their construction in the Ministerial Regulations.

Section 17 Any person desirous of carrying on the business of manufacturing, importing, selling or repairing Weighing or Measuring Instruments or Providing Weighing or Measuring Services shall comply with the requirements prescribed in the Ministerial Regulations, and shall notify the Competent Officer of the Central Bureau or the Branch Bureau using the form prescribed in the Ministerial Regulations.

On receipt of the notification under the first paragraph and after it has been inspected, that it is in compliance with the requirements prescribed in the Ministerial Regulations, the Competent Officer shall issue a licence to carry on the business in the form prescribed by the Ministerial Regulations to the applicant within seven days from the date of receipt of the notification.

In cases where the notification is not in compliance with the requirements, the Competent Officer shall instruct that the notification be amended within seven days from the date of receipt of the instruction, the Competent Officer may issue an order that notification filed under the first paragraph becomes terminated.

In cases where applicant has amended the notification within the prescribed period under the third paragraph, the Competent Officer shall issue a licence to carry on the business to the applicant within three days from the date of receipt of such amendment.

The Licence-holder to carry on the business shall pay fees as prescribed in the Ministerial Regulations.

Section 18 In cases where the licence to carry on the business is lost or damaged, the Licence-holder shall apply for a substitute of the licence within fifteen days from the date when the loss or damage is known to him.
Section 19 The Licence-holder shall display the licence to carry on the business or its substitute in an open and clearly visible place of manufacturing, importing, selling, repairing of Weighing and Measuring Instrument or Providing Weighing and Measuring Services, as the case may be, except during the period when a substitute of the licence is applied for under Section 18.

Section 20 In cases where an order is made by the Competent Officer under the third paragraph of Section 17, if the applicant is dissatisfied with such order, he may file an appeal in writing to the Minister within thirty days from the date of receipt of the said order.

The Minister shall give his decision on the appeal within thirty days from the date of receipt of such appeal and shall, in writing, notify the applicant of the decision.

The decision of the Minister shall be final.

Section 21 The Licence-holder shall strictly comply with the requirements prescribed in the Ministerial Regulations.

Section 22 The Licence-holder of the business of Providing Weighing or Measuring Services shall issue a certificate showing the weight, volume, or measure values of the commodity to the recipient for every service provided. The certificate shall be signed by the operator of the Weighing or Measuring Instruments, and indicated the date, time and place of such weighing or measuring.

Section 23 The Director-General shall have the power to issue Notifications prescribing the practices to be followed by the Licence-holder of the business of Providing Weighing and Measuring Services in maintaining the Weighing and Measuring Instruments and in providing the services.

In cases where any of the prescribed practices under the first paragraph is not complied with, the Director-General or the person assigned by him shall issue an order in writing correction or compliance within the prescribed period.

Section 24 The Licence-holder of the business of selling Weighing and Measuring Instruments shall not sell or distribute any Weighing and Measuring Instrument not verified under Section 30 or the verification has expired under Section 33, except the
Weighing and Measuring Instruments exempted by the Ministerial Notifications under the second paragraph of Section 29.

Section 26  In selling purchasing or exchanging commodities with others, Providing Weighing and Measuring Services, or using Weighing and Measuring Instruments for the purpose of calculating remuneration, taxes and revenues, and fees, no person shall use any Weighing and Measuring Instrument without the verification under Section 30 or with the verification expired under Section 33, whether of not it is a weighing and measuring instrument exempted by the Ministerial Notifications under the second paragraph of Section 29.

The Minister shall have the power to issue Notifications prescribing the practices to be followed by the users of Weighing and Measuring Instruments.

Section 26  The accuracy conditions of Weighing and Measuring Instruments used in the business under Section 25 shall be within the tolerances prescribed in the Ministerial Regulations.

Section 27  In Cases where a Weighing and Measuring Instrument of the permanently fixed type prescribed in the Ministerial Regulations is relocated and such instrument has been verified, the person who has the instrument in his possession shall, in writing, inform the Central Bureau or Branch Bureau within fifteen days from the date when the relocation is completed to allow the competent officer to make a reverification.

Section 28  In cases where the manufacturer, importer, seller or repairer of Weighing or Measuring Instruments, or the Provider of Weighing or Measuring Services has changed the place of manufacturing, importing, selling of Weighing and Measuring Instruments or the place where the services are provided, or has more than one of such places, he shall inform about the change or the places or offices where the business is operated.

In cases where the manufacturer, importer, seller or repairer of Weighing or Measuring Instruments, or the Provider of Weighing or Measuring Services has places to keep Weighing and Measuring Instruments other than the place of manufacturing, importing, selling or repairing Weighing and Measuring Instruments or the place where the services are provided, he shall inform about all such places.
CHAPTER 4
Verification

**Section 29** Weighing and Measuring Instruments shall be examined and verified by the Competent Officer.

The provisions in the first paragraph shall not apply to the Weighing and Measuring Instruments prescribed in the Ministerial Notification to be exempted from the verification requirement.

**Section 30** The verification of weighing and measuring instruments shall consist of the inspection and comparison with the Standards. If the instrument inspected is found to be in accordance with the provisions of this Act and the Ministerial Regulations issued under the Act, verification shall be granted by the Competent Officer.

Verifications shall be carried out as follows:

1. affixing or indicating a verification mark of the Central Bureau or the Branch Bureau and issuing a verification certificate for each Weighing and Measuring Instrument;

2. in cases where the nature of the verified Weighing and Measuring Instrument does not allow affixation or indication of the verification mark or the affixation or indication of such a mark would damage the instrument, the Competent Officer may simply issue a verification certificate.

In cases where a number of Weighing and Measuring Instruments are to be used in one set, a verification certificate may be issued for all the instruments collectively.

The verification certificate may be in the form of a strap to be sealed on a Weighing and Measuring Instrument.

The verification mark and the verification certificate under the second paragraph shall be in the form prescribed in the Ministerial Regulations.
Section 31 For the purposes of examination and verification, the Director-General may request any governmental service, unit or organization, or state enterprise or any foreign or international weighing and measures office or organization to examine Weighing and Measuring Instruments and grant verifications in accordance with the rules, procedures and conditions prescribed by the Director-General, and such examination and verification shall be regarded as the examination and comparison with the Standards and verification under the first paragraph of Section 30.

Section 32 There shall be two types of verifications. The first verification of a Weighing and Measuring Instrument, which has never been verified, shall be called an initial verification and the re-verification after the initial verification shall be called a secondary verification. The accuracy conditions of a Weighing and Measuring Instrument for the initial and secondary verification to be granted shall be within the tolerances prescribed in the Ministerial Regulations.

The Minister shall have the power to issue the Ministerial Regulations prohibiting secondary verification to be issued for any type of Weighing or Measuring Instruments.

Section 33 The term of verification for each type of Weighing and Measuring Instruments shall be prescribed in the Ministerial Regulations. In issuing a verification, the Competent Officer shall affix or indicate the expiry date of such verification on the instrument and in the verification certificate.

Section 34 The operators of the following businesses shall submit their Weighing and Measuring Instruments to the Competent Officer for verification under Section 30 within the time periods prescribed under Section 36:

1. The manufacturers of Weighing and Measuring Instruments, except the manufacture for exports under Section 65;
2. The importers of the Weighing and Measuring Instruments which have not been verified;
3. The sellers of Weighing and Measuring Instruments who have the instruments which have not been verified in possession;
4. The repairers of Weighing and Measuring Instruments.
Section 35  The importer of Weighing and Measuring Instruments which are not exempted types of Weighing and Measuring Instruments prescribed in the Ministerial Notifications under the second paragraph of Section 29, shall, before taking such instruments from the Competent Officer under the law on customs, comply with the rules and procedure prescribed in the Ministerial Notifications.

If the Minister deems appropriate, he may issue the Notifications exempting the importers of any type of Weighing and Measuring Instruments from complying with the requirements under the first paragraph.

Section 36  The application for the verification of Weighing and Measuring instruments under Section 34 shall be submitted to the Competent Officer at the Central or Branch Bureau.

The application under Section 34 (1.) and (2.) shall be submitted before the distribution of the Weighing and Measuring Instruments, but no later than thirty days from the date of manufacture or taking from the Competent Officer under the law on customs.

The application under Section 34 (3.) shall be submitted before the distribution of the Weighing and Measuring Instruments, but no later than thirty days from the date of having the instruments in possession.

The application under section 34 (4.) shall be submitted before the delivery of the instruments to the owner or before the distribution of such instruments, but no later than thirty days from the date when the repair is completed.

The Director-General or the person assigned by him shall have the power, if necessary and so requested, to extend the time periods prescribed under this Section.

Section 37  Any person who possesses any Weighing or Measuring Instrument, which has not been verified, shall submit an application for verification to the Competent Officer at the Central or Branch Bureau within thirty days from the date of having such instrument in possession.

The Director-General or the person assigned by him shall have the power, if necessary and so requested, to extend the time periods prescribed in the first paragraph.

Section 38  For the inspection and verification of the Weighing or Measuring Instruments, which are permanently fixed or fastened on the premises or difficult to move or too bulky, the applicant may request the Competent Officer to carry out the
inspection in other places than the Central or Branch Bureau by paying for the costs of such operations to the performing officer on the amount prescribed in the Ministerial Regulations and the necessary and actually paid travelling costs to the Competent Officer.

Section 39 In cases where the Weighing or Measuring Instrument submitted for verification is found to be not in conformity with the provisions of this Act or the Ministerial Regulations issued under this Act, the Competent Officer shall, if he considers it possible for such instrument to be altered in such a manner as to bring it into such conformity, order the applicant to make necessary alteration for subsequent verification.

If the Competent Officer is of the opinion that the instrument submitted for verification can not be brought into conformity with the provisions of the Act, he shall order the destruction of the instrument or any other means as to prevent it being used thereafter, if a verification mark has been affixed or indicated, the Competent Office shall have the power to destroy such verification mark or affix a mark indicating that the original verification mark is no longer valid.

The mark indicating that the original verification mark is no longer valid shall be prescribed by the Ministerial Regulations.

Section 40 Every manufacturer, importer, or repairer of Weighing and Measuring Instruments shall have a private mark and he shall stamp such private mark upon each instrument before submitting it for verification.

In cases where the nature of the instrument does not allow affixation or indication of the private mark or such affixation or indication would damage the instrument, any other method may be used in lieu of the affixation or indication.

The affixation or indication of private marks under the first and second paragraphs shall be in accordance with the Regulations of the Central Bureau.

The private mark under the first paragraph shall be registered at the Central or Branch Bureau in accordance with the rules and procedures prescribed in the Ministerial Regulations, and the Central or Branch Bureau shall not accept for registration any private mark which is identical or similar with a private mark previously registered by other person or consists of any prohibitory element prescribed in the Notifications issued by the Director-General.
Section 41  Any manufacturer or repairer of Weighing or Measuring Instruments may apply to the Director-General or the person assigned by him for a licence for such manufacturer or repairer to inspect and verify the instruments manufactured or repaired by himself.

The application and the grant of a licence shall be in accordance with rules, procedures, and conditions prescribed in the Ministerial Regulations, which shall also fix the time periods for the grant of a licence.

Section 42  The Licence-holder under Section 41 shall inspect and verify Weighing or Measuring Instruments manufactured or repaired by himself in accordance with the rules, procedures, and conditions prescribed by the Central Bureau.

Section 43  The licence shall be valid for the period specified in the licence and each period shall not exceed five years from the date of the grant of such licence. If the Licence-holder wishes to extend the term of the licence, he shall submit the application before the expiration of the term. If the application has been submitted, he may carry on his activities under the licence until it is ordered by the Director-General or the person assigned by him that such term is not extended.

The application for extension of the term of a licence and the grant shall be in accordance with the rules, procedures, and conditions prescribed in the Ministerial Regulations.

Section 44  In cases where the application for a licence or the application for extension of the term of a licence is rejected by the Director-General or the person assigned by him, the applicant for a licence or the applicant for extension shall have the right to appeal in writing to the Minister within thirty days from the date of receipt of the notification of the Director-General or the person assigned by him about the rejection.

The decision of the Minister shall be final.

Before the decision on the appeal against the order rejection the extension of the term of a licence, the Minister shall have the power, if requested by the appellant, to order the applicant may carry on his activities under the Licence.

Section 45  The licence shall be valid only for the Licence-holder.
Section 46  If the Licence-holder violates or fails to comply with the provisions of this Act or the conditions for the licence prescribed in the Ministerial Regulations, the Director-General or the person assigned by him shall have the power to order suspension of the licence for a period not exceeding ninety days.

Section 47  If the Licence-holder is under a final judgement of the court to have committed the offence under Section 74 or fails to comply with the suspension order the Director-General or the person assigned by him shall have the power to order cancellation of the licence.

The holder of the licence, which has been cancelled, may not apply for a new licence before the expiration of two years from the date of cancellation.

Section 48  The Suspension order and the cancellation order shall be notified in writing to the holder. In cases where the Licence-holder cannot be found or refuses to accept the order, the order shall be posted at an open and easily visible place of manufacturing or repairing of Weighing or Measuring Instruments and the Licence-holder shall be deemed to have received such order from the date of posting.

Section 49  The holder of the licence, which is suspended under Section 46 or cancelled under Section 47, shall have the right to appeal in writing to the Minister within thirty days from the date of receipt of such order. The Minister may dismiss the appeal or change the order of the Director General or the person assigned by him.

The decision of the Minister shall be final.

Before the decision is given, the Minister may, if requested by the appellant, issue an order permitting the licence-holder to carry on the business under the licence.

Section 50  If the licence is lost or damaged while it has not expired, the Licence-holder shall apply for its substitute within fifteen days from the date when the loss or damage is known.

The application and grant of the substitute of the licence shall be in accordance with rules and procedures prescribed in the Ministerial Regulations.
Section 51 The Licence-holder shall display the licence or its substitute at an open and clearly visible place of manufacturing or repairing of Weighing or Measuring Instruments of the Licence-holder, except during the period when a substitute of the licence is applied for under Section 50.

Chapter 5
Powers and Duties of the Weights and Measures Inspector

Section 52 In performing his duties, the Weights and Measures Inspector shall have the powers:

(1.) to enter the place of manufacturing, selling, or storing Weighing and Measuring Instruments or packaged commodities prescribed in the Ministerial Notifications in accordance with Section 62 during business hours to inspect the Weighing and Measuring Instruments or packaged commodities;

(2.) to enter any place to inspect the Weighing and Measuring Instruments used in the business specified in Section 25;

(3.) to make a search, from dawn till dusk or during business hours, on any place or vehicle in which he has a legitimate reason to suspect that an offence under this Act or under Section 270 or 271 of the Criminal Code is committed. And in cases where there is a legitimate reason to believe that the delay in obtaining a search warrant would allow the Weighing and Measuring Instruments or packaged commodities associated with the commission of the offences to be removed, concealed or destroyed and the search has not been completed, the Weights and Measures Inspector may continue such a search;

(4.) to seize or confiscate Weighing or Measuring Instruments or packaged commodities in connection with the commission of the offences specified in (3.).

The Weights and Measures Inspector may instruct government service officers or employees of the Central or Branch Bureau to assist him in carrying out the duties specified in subsections (1.), (2.), (3.), and (4.).
Section 53 If it is found that the Weighing or Measuring Instruments seized or confiscated under section 52 (4.) are not to be used as evidence in the legal proceedings, the Central or Branch Bureau shall return or revoke the confiscation of such instruments within thirty days from the date of seizure or confiscation.

If the public prosecutor has made a final non-prosecution order or the Weighing or Measuring Instruments confiscated under the first paragraph is not forfeited by the judgement of the court and their owner or possessor has not requested for their return within one hundred and twenty days from the final order or judgement, as the case may be, such Weighing or Measuring Instruments shall become the property of the Department of Commercial Registration and shall be executed in accordance with Regulations issued by the Director-General.

If the public prosecutor has made a final non-prosecution order or the Weighing or Measuring Instruments confiscated under the first paragraph is not forfeited by the judgement of the court, the Weights and Measures Inspector shall revoke the confiscation of such instrument without delay.

Section 54 The Weights and Measures Inspector may order the owner or possessor of the packaged commodities seized or confiscated under Section 52 (4.) to bring them into conformity with the law or to destroy their packages and return such contents to the owner or possessor.

In cases where the owner or processor fails to comply with the order of the Weights and Measures Inspector under the first paragraph the Weights and Measures Inspector may destroy the packages and return the contents to the owner or possessor who shall pay for the costs of such returning. But in cases where the packages are destroyed and the commodity, by its nature, cannot be returned, the Weights and Measures Inspector shall instruct the owner or possessor to remove the contents from the packages within the prescribed period not less than thirty days from the date of receipt of the instruction. If the owner or possessor fails to comply with the instruction, the commodity shall become the property of the Department of Commercial Registration and shall be executed in accordance with the Regulations issued by the Director-General.

Section 55 If the owner or possessor of the Weighing or Measuring Instrument or packaged commodity seized under Section 52 (4.) is not found at the time of seizure
and no one makes an appearance to be the owner or possessor within ninety days from the date of seizure, the instrument or commodity shall become the property of the Department of Commercial Registration and shall be executed in accordance with the Regulations issued by the Director-General.

Section 56 If the packaged commodity seized under Section 52 (4.) is easily damaged or not worth the risk or too costly to be kept, the Director-General or person assigned by him may arrange for selling or distribution such commodity before the beginning of the period prescribed under Section 55 and shall keep the net amount of money received in lieu of such commodity.

The selling or distribution of seized packaged commodity under the first paragraph shall be in accordance with the Regulations issued by the Director-General.

Section 57 If the Weights and Measures Inspector has found any Weighing or Measuring Instrument is not in conformity with this Act or the Ministerial Regulations issued under this Act or the accuracy conditions of any Weighing and Measuring Instrument exceeds the permissible error prescribed in the Ministerial Regulations, he may destroy the verification mark and issue the mark prohibiting the use of such instrument until it has been brought into such conformity and submitted to the Competent Officer for re-verification or may seize such instrument and send it to the Central or Branch Bureau.

If the owner or possessor of the instrument seized under the first paragraph is not found at the time seizure or the owner or possessor fails to request for the return of such instrument within ninety days from the date of seizure, the instrument shall become the property of the Department of Commercial Registration and shall be executed in accordance with the Regulations issued by the Director-General. If the owner or possessor requests for the return of the instrument within the prescribed period, the Central or Branch Bureau shall return it for the owner or possessor to bring it into conformity with the law in accordance with the rules and procedures prescribed by the Director-General. But if the Central or Branch Bureau is of the opinion that such instrument cannot be brought into conformity with the law or it should not, by its nature, be used as a Weighing or Measuring Instrument, it shall become the property of the Department of Commercial Registration and shall be executed in accordance with the Regulations issued by the Director-General.
Section 58  All persons concerned shall facilitate the Weights and Measures Inspector in performing his duties under Section 52.

Section 59  In performing his duties under this Act, the Weights and Measures Inspector shall introduce his identification card to the persons concerned.

The identification card of the Weights and Measures Inspector shall be in the form prescribed in the Ministerial Regulations.

Section 60  In performing his duties under this Act, the Weights and Measures Inspector shall be the Competent Officer under the Criminal Code.

Section 61  For the purpose of arresting and suppressing of the offenders under this Act, the Weights and Measures Inspector shall be the administrative or police officer under the Code of Criminal Procedure.

CHAPTER 6
Packaged Commodities

Section 62  The Minister shall have the power to prescribe the types of packaged commodities which the packers are required:

(1.) to declare the quantity of the commodity on its package;
(2.) to declare the quantity of the commodity in accordance with the prescribed rules and procedures; or
(3.) to pack the commodity in the prescribed quantity.

The Notifications issued under the first paragraph shall be published in the Government Gazette and shall be come effective on the date prescribed by the Minister, but not less than sixty days from the date of its publication in the Government Gazette.

Section 63  The declaration of the quantity of the packaged commodity under Section 62 or which is declared by the packer on the package shall be accurately corresponding to the quantity of the commodity contained in the package.
The declaration of quantity on the package, which is erroneous not exceeding the permissible error prescribed in the Ministerial Notifications, shall be regarded as an accurate declaration.

Section 64 For all packaged commodities imported into the Kingdom, which the declaration of their quantities is expressed in Weights and Measures of foreign countries, the importer shall declare the quantity of such commodity in the Weight and Measure Units in accordance with this Act, using the methods and the Table of Equivalence prescribed in the Ministerial Notifications under this Act.

The declaration of the commodity under the first paragraph shall be made before taking such commodity from the customs officers, except it is permitted to be made thereafter by the Director-General or person assigned by him in accordance with the prescribed procedures and conditions.

CHAPTER 7
Weighing and Measuring Instruments for Exports

Section 65 The manufacturer of Weighing and Measuring Instruments for exports to any other country shall comply with the rules, procedures and conditions of manufacture and exportation prescribed in the Ministerial Notifications published in the Government Gazette.

All Weighing and Measuring Instruments for exports under the first paragraph shall be exempted from the verification requirements under this Act, but the manufacturer of such instruments may voluntarily submit them to the Competent Officer for verification.

CHAPTER 8
Offences and Penalties

Section 66 Any person who uses any Weights and Measures other than those prescribed in Section 9 for buying, selling, or distributing commodities shall be liable to a fine not exceeding 5,000 baht.
Section 67. Any person who uses the Weights and Measures or commits weighing or measuring any commodity for buy, sale, or distribution, which are not in conformity with the Ministerial Notifications issued under Section 10, shall be liable to a fine not exceeding 5,000 baht.

Section 68. Any person who carries on the business under Section 17 without having previously obtained a licence shall be liable to imprisonment not exceeding one year or a fine not exceeding 40,000 baht or both.

Section 69. Any person carrying on the business who fails to comply with Section 18 or 19, or any Licence-holder who fails to comply with Section 50 or 51 shall be liable to a fine not exceeding 1,000 baht.

Section 70. Any person who violates or fails to comply with Section 21, 24, or 28 or violates the first paragraph of Section 25, or fails to comply with the Ministerial Notifications issued under the second paragraph of Section 25 shall be liable to imprisonment not exceeding six months or a fine not exceeding 20,000 baht or both.

Section 71. In conducting the business of Providing Weighing and Measuring Services, any person carrying on the business who fails to comply with Section 22 shall be liable to a fine not exceeding 5,000 baht.

Section 72. In conducting the business of Providing Weighing and Measuring Services under Section 17, any person who issues a certificate showing a false weight, volume or measure value to cause any damage to any other person shall be liable to imprisonment not exceeding one year or a fine not exceeding 40,000 baht or both.

Section 73. Any possessor of a Weighing and Measuring Instrument of the permanently fixed type who fails to comply with Section 27 shall be liable to a fine not exceeding 10,000 baht.
Section 74  Any person who:

(1.) counterfeits or modifies a verification mark or certificate issued by
the Central or Branch Bureau;

(2.) removes a verification mark issued by the Central or Branch Bureau
from one instrument and apply it to another instrument; or

(3.) deletes the Competent Office's mark indicating that the original verifi-
cation mark is no longer valid;

shall be liable to imprisonment not exceeding seven years or a fine not
exceeding 260,000 baht or both.

Section 75  Any person who commits any act to make a Weighing or Measuring
Instrument, which has been verified under Section 30 to indicate any weight, volume,
quantity, or any unit different from that verified its accuracy conditions with the Stan-
dards in excess of the tolerances prescribed in the Ministerial Regulations, shall be
liable to imprisonment not exceeding three years and a fine not exceeding 120,000
baht.

Section 76  Any person who knows that an offence has been committed with re-
spect to a Weighing or Measuring Instrument under Section 75 or 76 and

(1.) sells, distributes, or possesses for sale or distribution of such instru-
ments; or

(2.) uses or possesses for using such instrument in his business
under the first paragraph of Section 25;

Shall be liable to the penalties provided in Section 74 or 75, as the case may be.

Section 77  Any Licence-holder under Section 41 who uses a verification mark or
certificate of the Central or Branch Bureau received from the Competent Officer for
such purposes during the suspension or cancellation of his licence shall be liable to
imprisonment not exceeding one year or fine not exceeding 40,000 baht or both.

Section 78  Any Licence-holder under Section 41 who uses a verification mark or
certificate of the Central or Branch Bureau received from the Competent Officer with
any Weighing or Measuring Instrument, which is not manufactured or repaired by
himself be liable to imprisonment not exceeding one year or a fine not exceeding 40,000
both.
Section 79 Any person who uses or have any Weighing or Measuring instrument for use in any business under the first paragraph of Section 25, knowing that the accuracy of such instrument is erroneous in excess of the permissible error prescribed in the Ministerial Regulations shall be liable to imprisonment not exceeding six months or a fine not exceeding 20,000 baht or both.

Section 80 Any person who:

(1) strikes out, destroys, or causes damage to any mark or article fixed by the Weights and Measures Inspector to indicate the seizure or confiscation under Section 52 (4) ; or

(2) strikes out, destroys, or causes damage to a mark prohibiting the use of a Weighing or Measuring Instrument issued by the Weights and Measures Inspector under the first paragraph of Section 57, except it is permitted by the Competent Officer ;

shall be liable to imprisonment not exceeding one year or a fine not exceeding 40,000 baht or both.

Section 81 Any operator of the business of manufacturing, importing, selling or repairing Weighing or Measuring Instruments who violates Section 34 shall be liable to imprisonment not exceeding six months or a fine not exceeding 20,000 baht or both.

Section 82 Any person concerned who fails to facilitate the Weights and Measures Inspector in performing his duties under Section 57 shall be liable to a fine not exceeding 5,000 baht.

Section 83 Any packer who violates the Ministerial Notifications issued under Section 62 shall be liable to imprisonment not exceeding six months or a fine not exceeding 20,000 baht or both.

Section 84 Any packer who packs the commodity and knows that the quantity of such commodity contained in the package is not accurately corresponding to the quantity as declared in such a manner to cause damage to any other person or the public shall be liable to imprisonment not exceeding one year or a fine not exceeding 40,000 baht or both.
Section 85 Any person who sells, distributes, or possesses for sale or distribution of any packaged commodity with the quantity declared and knows that the quantity of such commodity contained in the package is not accurately corresponding to the quantity as declared in such a manner to cause damage to any other person or the public shall be liable to imprisonment not a exceeding six months or a fine not exceeding 20,000 baht or both.

Section 86 Any person who sells or possesses for sale of any packaged commodity without the declaration of its quantity under Section 62 (1.) or the first paragraph of Section 64 shall be liable to a fine not exceeding 5,000 baht.

Section 87 Any importer who fails to comply with the requirements to declare the quantity and the Table of Equivalence prescribed in the Ministerial Notifications under the first paragraph of Section 64 or fails to comply with the procedures or conditions prescribed by the Director-General or the person assigned by him under the second paragraph of Section 64 shall be liable to a fine not exceeding 5,000 baht.

Section 88 In the event an offender punishable under this Act is a juristic person, managing director, manager or representative of such juristic person, except those who can prove that the juristic person has acted without their knowledge or consent, shall be liable to the penalties prescribed for the offence.

Section 89 If the following officer is of the opinion that the accused offender should not be punished with imprisonment or prosecuted for any offence under this Act punishable by a fine only or by imprisonment not exceeding six months or a fine not exceeding 20,000 baht or both, he shall have the power to settle the case as follows:

(1.) The Director-General or the person assigned by him for the offences committed in Bangkok;

(2.) The Governor or the person assigned by him for the offences committed in any other Province.

If the accused offender has paid for a fine in the amount as settled within thirty days from the date of settlement, the case shall be regarded as terminated under the Code of Criminal Procedure.
If the accused offender does not agree with the settlement, or has agreed with the settlement but fails to pay for the fine within the period prescribed in the second paragraph, the prosecution shall be carried out.

Section 90  In cases where an arrest is made by the Weights and Measures Inspector for any offence, which can be settled under this Act, and the accused offender agrees to be settled, the Director-General or person assigned by him or the Governor or person assigned by him, as the case may be, may, if requested by the offender or any interested person, order a temporary release of the offender during the period when the settlement or payment of the fine is pending either with bail or with bail and security. The provisions of the Code of Criminal Procedure shall be applicable mutatis mutandis.

Section 91  In cases where a person is found by the inquiring officer to have committed an offence which can be settled under this Act and the accused offender agrees to be settled, the inquiring officer shall submit the case to the Director-general or person assigned by him or the Governor or person assigned by him, as the case may be, within seven days from the date of making agreement of the settlement. The provisions of Section 90 shall be applicable mutatis mutandis.

PROVISIONAL PROVISIONS

Section 92  All Ministerial Regulations, Notifications, rules, and orders issued under the laws repealed under Section 3 of this Act shall continue in effect in so far as they are not contrary to or inconsistent with this Act until the Ministerial Regulations, Notification, rules, and orders under this Act take effect.
Section 93  All Weighing and Measuring Instruments verified under the Weights and Measures Act B.E. 2466 shall be regarded as having been verified under this Act.

All licences issued under the Weights and Measures Act B.E. 2466 shall be regarded as licences issued under this Act.

Section 94  Any person who carries on the business of Providing Weighing or Measuring Services provided in Section 17 on the date of entry into force of this Act and wants to continue to carry on such business, he shall notify of the carrying on of the business under Section 17 within ninety days from the date of entry into force of this Act, and he shall be regarded, after the notification has been made, as a Licence-holder under this Act.

Countersigned by
Chuan Leekpai
Prime Minister
SCHEDULE OF FEES

(1.) Business Licence

   (a) Manufacturing
       Weighing Instruments   per annum 4,000 Baht
       Krueng Tuangs          per annum 2,000 Baht
       Measuring Instruments  per annum 2,000 Baht

   (b) Importing
       Weighing Instruments   per annum 8,000 Baht
       Krueng Tuangs          per annum 4,000 Baht
       Measuring Instruments  per annum 4,000 Baht

   (c) Selling
       Weighing Instruments   per annum 1,000 Baht
       Krueng Tuangs          per annum 500  Baht
       Measuring Instruments  per annum 500  Baht

   (d) Repairing
       Weighing Instruments   per annum 1,000 Baht
       Krueng Tuangs          per annum 500  Baht
       Measuring Instruments  per annum 500  Baht

   (e) Providing
       Weighing Services      per annum1,000 Baht
   (f) Providing
       Volume-measuring Services per annum 500  Baht
   (g) Providing
       Measuring Services     per annum 500  Baht

(2) Initial Verification

   Weighing Instrument

   (a) Weighing Instrument:
       - Indicating weights not exceeding 20 kg.  For each 200  Baht
       - Indicating weights exceeding 20 kg. But not exceeding 100 kg.  For each 500  Baht
       - Indicating weights exceeding 100 kg. But not exceeding 2,000 kg.  For each 1,000 Baht
       - Indicating weights exceeding 2,000 kg. But not exceeding 10,000 kg.  For each 3,000 Baht
       - Indicating weights exceeding 10,000 kg.  For each 10,000 Baht
(b) Weights for Weighing and Poising
   - not exceeding 1 kg. For each 50 Baht
   - exceeding 1 kg. but not exceeding 10 kg. For each 100 Baht
   - exceeding 10 kg. For each 200 Baht

Volume-measuring Instrument
   - Indicating volume not exceeding 100 litres For each 50 Baht
   - Indicating volume exceeding 100 litres but not exceeding 1,000 litres For each 500 Baht
   - Indicating volume exceeding 1,000 litres, 500 Baht for the first 1,000 litres; 100 Baht for each next 1,000 litres; any excess of 1,000 litres shall be calculated as 1,000 litres, but the total amount shall not exceed 10,000 Baht

Measuring Instrument
   (a) Measuring Instrument for length
       - Indicating length not exceeding 10 metres For each 50 Baht
       - Indicating length exceeding 10 metres For each 200 Baht
   (b) Measuring instrument for volume For each 5,000 Baht
   (c) Other Measuring Instrument For each 3,000 Baht

(3.) Reverification 50 percent of the fees prescribed in (2)
(4.) Calibration of Weighing and Measuring Instrument The same as the fees in (2)
(5.) Issue of the calibration report of Weighing and Measuring Instrument For each 1,000 Baht
(6.) Self-verification Licence for Manufacturer of Repairer per annum 10,000 Baht
(7.) Extension of term of a licence The same amount as the fees for business licence
(8.) Issue of substitute of a licence For each 100 Baht
THE ANNEX UNDER SECTION 9

A. Weights and Measures in the Metric System

(1) The fundamental unit of length shall be the Metre, defined as the length of the path traveled by light in vacuum during a time interval of 1/299 792 458 of a second.

The legal units of length shall be as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilometre</td>
<td>One thousand metres</td>
<td>km</td>
</tr>
<tr>
<td>Hectometre</td>
<td>One hundred metres</td>
<td>hm</td>
</tr>
<tr>
<td>Decametre</td>
<td>Ten metres</td>
<td>dam</td>
</tr>
<tr>
<td>Metre</td>
<td>Fundamental unit</td>
<td>m</td>
</tr>
<tr>
<td>Decimetre</td>
<td>One tenth of a metre</td>
<td>dm</td>
</tr>
<tr>
<td>Centimetre</td>
<td>One hundredth of a metre</td>
<td>cm</td>
</tr>
<tr>
<td>Millimetre</td>
<td>One thousandth of a metre</td>
<td>mm</td>
</tr>
<tr>
<td>Micron</td>
<td>One thousandth of a millimetre</td>
<td>mm</td>
</tr>
</tbody>
</table>

(2) The unit of area shall be the Square Metre, defined as the area of a square of side one metre.

The legal units of area shall be as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Square kilometre</td>
<td>One million square metres</td>
<td>km²</td>
</tr>
<tr>
<td>Square hectometre or hectare</td>
<td>Ten thousand square metres</td>
<td>hm²</td>
</tr>
<tr>
<td>Square decametre</td>
<td>One hundred square metres</td>
<td>dam²</td>
</tr>
<tr>
<td>Square metre</td>
<td>One square metre</td>
<td>m²</td>
</tr>
<tr>
<td>Square decimetre</td>
<td>One hundredth of a square metre</td>
<td>dm²</td>
</tr>
<tr>
<td>Square centimetre</td>
<td>One ten thousandth of a square metre</td>
<td>cm²</td>
</tr>
<tr>
<td>Square millimetre</td>
<td>One millionth of a square metre</td>
<td>mm²</td>
</tr>
</tbody>
</table>
(3) The unit of volume shall be the Cubic Metre, defined as the volume of a cube of side one metre.

The legal units of volume shall be as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cubic kilometre</td>
<td>One thousand million cubic metres</td>
<td>km³</td>
</tr>
<tr>
<td>Cubic hectometre</td>
<td>One million cubic metres</td>
<td>hm³</td>
</tr>
<tr>
<td>Cubic decametre</td>
<td>One thousand cubic metres</td>
<td>dam³</td>
</tr>
<tr>
<td>Cubic metre</td>
<td>One cubic metre</td>
<td>m³</td>
</tr>
<tr>
<td>Cubic decimetre</td>
<td>One thousandth of a cubic metre</td>
<td>dm³</td>
</tr>
<tr>
<td>Cubic centimetre</td>
<td>One millimetre of a cubic metre</td>
<td>cm³</td>
</tr>
<tr>
<td>Cubic millimetre</td>
<td>One thousandth of a cubic centimetre</td>
<td>mm³</td>
</tr>
</tbody>
</table>

(4) The unit of capacity shall be the Litre, defined as the volume of one kilogramme of pure water at the temperature of 4°C and under normal atmospheric pressure.

The legal units of volume shall be as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kiloitre</td>
<td>One thousand litres</td>
<td>kl</td>
</tr>
<tr>
<td>Hectolitre</td>
<td>One hundred litres</td>
<td>hl</td>
</tr>
<tr>
<td>Decalitre</td>
<td>Ten litres</td>
<td>dal</td>
</tr>
<tr>
<td>Litre</td>
<td>One litres</td>
<td>l</td>
</tr>
<tr>
<td>Decilitre</td>
<td>One tenth of a litres</td>
<td>dl</td>
</tr>
<tr>
<td>Centilitre</td>
<td>One hundredth of a litres</td>
<td>cl</td>
</tr>
<tr>
<td>Millilitre</td>
<td>One thousandth of a litres</td>
<td>ml</td>
</tr>
</tbody>
</table>

For all purposes of indicating a volume, one Litre may be considered identical with one Cubic Decimetre.
(5) The fundamental unit of mass shall be the Kilogramme, defined as the unit of mass, which is equal to the mass of the International Prototype of the Kilogramme. The legal units of mass shall be as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metric ton</td>
<td>One thousand Kilogrammes</td>
<td>t</td>
</tr>
<tr>
<td>Metric quintal</td>
<td>One hundred Kilogrammes</td>
<td>q</td>
</tr>
<tr>
<td>Kilogramme</td>
<td>Fundamental unit</td>
<td>kg</td>
</tr>
<tr>
<td>Hectogramme</td>
<td>One hundred grammes</td>
<td>hg</td>
</tr>
<tr>
<td>Decagramme</td>
<td>Ten grammes</td>
<td>dag</td>
</tr>
<tr>
<td>Gramme</td>
<td>One thousandth of a Kilogramme</td>
<td>g</td>
</tr>
<tr>
<td>Decigramme</td>
<td>One tenth of a gramme</td>
<td>dg</td>
</tr>
<tr>
<td>Centigramme</td>
<td>One hundredth of a gramme</td>
<td>cg</td>
</tr>
<tr>
<td>Milligramme</td>
<td>One thousandth of a gramme</td>
<td>mg</td>
</tr>
<tr>
<td>Microgramme</td>
<td>One thousandth of a milligramme</td>
<td>mg</td>
</tr>
</tbody>
</table>

For all purposes of indicating a weight, a unit of mass of any object shall be considered identical with a unit of weight of that object.

(6) The fundamental unit of time shall be the Second, defined as the duration of 9,192,631,770 periods of the radiation corresponding to the transition between the two hyperfine levels of the ground state of the caesium-133 atom.

(7) The fundamental unit of electric current shall be the Ampere, defined as amount of constant current which, if maintained in two straight parallel conductors of infinite length, of negligible circular cross-section, and placed one metre apart in vacuum, would produce, between these two conductors, a force of $2 \times 10^{-7}$ Newton per metre of length.

(8) The fundamental unit of thermodynamic temperature shall be the Kelvin, which is the fraction $1/273.16$ of the thermodynamic temperature of the triple point of water.

The Kelvin unit should be used to express an interval or a difference of temperature.

In dealing with any business, the degree Celsius may be used as the unit of temperature.
The Celsius temperature is the thermodynamic temperature decreased by 273.15.

(9) The fundamental unit of amount of substance shall be the Mole, defined as the amount of substance of a system, which contains as many elementary entities as there are atoms in 0.012 kilogramme of carbon-12. When the Mole is used, the elementary entities must be specified and may be atoms, molecules, ions, electrons, other particles, or specified groups of such particles.

(10) The fundamental unit of Luminous Intensity shall be the Candela, defined as the luminous intensity, in a given direction, of a source that emits monochromatic radiation of frequency 540x10^{12} Hertz and that has a radiant intensity in that direction of 1/683 watt per steradian.

B. Weights and Measures in the Customary System Adapted to the Metric System

(1) Unit of length

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sen</td>
<td>Forty metres</td>
<td>sn</td>
</tr>
<tr>
<td>Wah</td>
<td>Two metres</td>
<td>w</td>
</tr>
<tr>
<td>Sauk</td>
<td>One half of a metre</td>
<td>sk</td>
</tr>
<tr>
<td>Keup</td>
<td>One quarter of a metre</td>
<td>k</td>
</tr>
</tbody>
</table>

(2) Unit of length

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rai</td>
<td>Sixteen hundred square metres</td>
<td>r</td>
</tr>
<tr>
<td>Ngan</td>
<td>Four hundred square metres</td>
<td>ng</td>
</tr>
<tr>
<td>Square Wah</td>
<td>Four square metre</td>
<td>w²</td>
</tr>
</tbody>
</table>
(3) Unit of capacity

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard kwien</td>
<td>Two thousand litres</td>
<td>kw</td>
</tr>
<tr>
<td>Standard ban</td>
<td>One thousand litres</td>
<td>b</td>
</tr>
<tr>
<td>Standard sat</td>
<td>Twenty litres</td>
<td>st</td>
</tr>
<tr>
<td>Standard tanan</td>
<td>One litre</td>
<td>tn</td>
</tr>
</tbody>
</table>

(4) Unit of weight

<table>
<thead>
<tr>
<th>NAME</th>
<th>VALUE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard picul</td>
<td>Sixty kilogrammes</td>
<td>p</td>
</tr>
<tr>
<td>Standard catty</td>
<td>Six hundred grammes</td>
<td>c</td>
</tr>
<tr>
<td>Standard carat</td>
<td>Twenty centigrammes</td>
<td>ct</td>
</tr>
</tbody>
</table>

The standard carat shall only be used for precious stones.