

MINISTERIAL REGULATION

RE: PRESCRIPTION OF CRITERIA FOR BUSINESS OPERATORS RELATING TO WEIGHTS AND MEASURES B.E. 2544 (2001)

By virtue of section 4, section 5 and section 17 paragraph one and paragraph two, section 21, section 41 paragraph two, section 43 paragraph two and section 50 paragraph two of the Weights and Measures Act B.E. 2542 which is the Act containing certain provisions in relation to the restriction of rights and liberties of a person, in respect of which section 29 in conjunction with section 31, section 35, section 48 and section 50 of the Constitution of the Kingdom of Thailand so permit by the virtue of law, the Minister of Commerce hereby issues the Ministerial Regulation as follows:

Clause 1. Any person who wishes to operate a business in production, importation, sale, repair of weighing and measuring instruments or provide weighing services to other persons for the purpose of selling, purchasing or exchanging goods shall notify a competent official and shall comply with the following criteria:

- (1) having domicile or residence in the Kingdom of Thailand and in the case of a juristic person, it shall be registered or established under Thai law and having an office in the Kingdom of Thailand;
- (2) having an ownership or right to benefit in a place of business operation which is secured, strong, safe and having the area appropriate for such business operation;
- (3) in the case of operating a business in manufacturing or repairing weighing and measuring instrument shall have the form of scale mark and equipment as prescribed by the Central Weights and Measures Bureau.

In operating the business of providing weighing services to other persons for the purpose of selling, purchasing or exchanging goods and shall be informed to the competent official under paragraph one, it shall be the use of non-movable weighing instrument and shall have the maximum capacity of 20 metric tones and above.

Clause 2. Any person who wishes to operate business under clause 1 shall inform a competent official at the Central Bureau or Branch Bureau which has the jurisdiction in the province whereby a place of business operation is located under the form *Chor Wor 001* annexed to this Ministerial Regulation including the evidence as prescribed in the form *Chor Wor 001*.

Clause 3. Business operation certificate in manufacturing, importing, selling, repairing a weighing and measuring instrument or the provision of weighing services shall use the form *Chor Wor 101* as annexed to this Ministerial Regulation.

Clause 4. A manufacturer or repairer of weighing and measuring instruments who wishes to apply for permission to be license holder who is an inspector and self verification for manufactured or repaired weighing and measuring instruments shall submit an application including the evidence as prescribed in the form *Chor Wor 002* annexed to this Ministerial Regulation to the Director-General or a person entrusted by the Director-General.

Clause 5. For an application for permission to be license holder who is an inspector and self verification for manufactured or repaired weighing and measuring instruments under clause 4, the applicant shall comply with the following criteria:

(1) arranging the scale mark for weighing and measuring for assessing the accuracy of weighing and measuring instrument as prescribed by the Central Bureau;

(2) preparing or establishing a laboratory or place with necessary equipment for examining and verifying a weighing and measuring instrument as prescribed by the Central Bureau;

(3) having personnel who has knowledge and capability in weighing and measuring and obtained certificate of training of weighing and measuring from an agency as prescribed by the Director-General.

Clause 6. In granting a license to a manufacturer or repairer to be an inspector and self verification for manufactured or repaired weighing and measuring instruments, it shall specify the type and kind of weighing, volume measuring and measuring instruments in the license.

License to be an inspector and self verification for manufactured or repaired weighing and measuring instruments shall use the form *Chor Wor* 102 as annexed to this Ministerial Regulation.

Clause 7. An authorized inspector and self verification for manufactured or repaired weighing and measuring instruments shall report performance result to the Central Bureau or Branch Bureau as prescribed by the Central Bureau.

Clause 8. Any authorized inspector and self verification for manufactured or repaired weighing and measuring instruments who wishes renew his or her license shall submit an application including the evidence as prescribed in the form *Chor Wor* 002 annexed to this Ministerial Regulation to the Director-General or a person entrusted by the Director-General within thirty days prior to the date of expiration of the license.

Consideration of renewal of license under paragraph one, the Director-General or a person entrusted by the Director-General may order the applicant for renewal of license to correct or improve the laboratory for examining the weighing and measuring instruments and

equipment necessary for the use of inspection and verification of weighing and measuring instruments as deems appropriate.

In considering the renewal of license under paragraph one, when the Director-General or a person entrusted by the Director-General considers that the renewal of license is correct, a license in accordance with the form *Chor Wor* 102 as annexed to this Ministerial Regulation shall be issued by specifying the statement of renewal and the validity period of such renewal of license at the end of the license.

Clause 9. The time period for considering the application under clause 4 shall be specified and the application for renewal of license under clause 8 shall be as follows:

(1) a competent official shall complete the consideration within ten working days as from the date of receipt of correct and complete application. In the case where it appears that the application is not correct or complete, the competent official shall notify the applicant for license or renewal of license to correct within thirty days as from the date of being notified. In the case where the applicant for license or renewal of license fails to correct within such prescribed time period, it shall be deemed that such application is terminated.

(2) the Director-General or a person entrusted by the Director-General shall issue the license to be inspector and self verification for manufactured or repaired weighing and measuring instruments within seven working days as from the date of receipt of such matter from the competent official under (1).

Clause 10. In applying for a license substitute, a license holder shall submit, to a competent official, the form *Chor Wor* 002 as annexed to this Ministerial Regulation by which the word “substitute” shall be stated at the front.

The license substitute under paragraph one shall be in accordance with the form *Chor Wor* 002 as annexed to this Ministerial Regulation by which the word “substitute” is stated at the front.

Given on the 16th of February B.E. 2544

Supachai Panitchpakdi

Minister of Commerce

Unofficial

Department of Commercial Registration	Notification form for business operation in manufacturing, Importing, selling, repairing, weights measures instrument or to provide weighing service under the weight and measures Act B.E. 2542	For competent official No./receipt number..... Date of receipt..... Recipient.....
a. notification submission		
Dear..... I would like to notify the business operation under the weight and measures Act B.E. 2542		
The name of person notifying.....		
Business operation is located at... Moo..... Trok/Soi..... Road..... ตำบล/แขวง..... อำเภอ/เขต..... Province..... Post code..... Tel..... Fax.....		
Matters wishes to undertake		
<input type="checkbox"/> to be a business operator in manufacturing <input type="checkbox"/> weighing instrument type..... <input type="checkbox"/> to be a business operator in importation <input type="checkbox"/> volume measuring instrument type..... <input type="checkbox"/> to be a business operator in sale <input type="checkbox"/> measuring instrument type..... <input type="checkbox"/> to be a business operator in repairing type.....		
<input type="checkbox"/> to be a business operator who provides weighing service <input type="checkbox"/> รับทำการชั่ง		
Document for the notification		
<input type="checkbox"/> detail of the notification Chor Wor 001 form..... (for manufacturer/repairer) <input type="checkbox"/> a copy of land registration of the notifier (in the case of natural person) <input type="checkbox"/> a copy of land registration of place of business operation (in the case where the notifier is a natural person) <input type="checkbox"/> a copy of registration of juristic person certificate (in the case where the notifier is a juristic person) <input type="checkbox"/> the prevision authorizing the power to establish a juristic person under the law (in the case where the notifier is the juristic person established under the law) <input type="checkbox"/> power of attorney (if any) together with a photocopy of ID card of the authorizing person and person being authorized		
<p style="text-align: center;">I certify that the above statement is correct and true</p> <p style="text-align: right;">(Signed)..... notifier (.....) date..... month..... B.E.....</p> <p>(affix the stamp of juristic person)</p>		

Notification number.....

b.consideration of a competent official

opinion of the competent official.....

.....

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.....

Signed.....

(.....)

Position.....

Date.....

opinion of the competent official.....

.....

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.....

Signed.....

(.....)

Position.....

Date.....

Certificate number
Request form number

Chor Wor 101

Department of Commercial Registration
Business operation Certificate
This certificate is issued to illustrate that

.....
The place of business operation is located at.....
.....
.....

Is a business operator under section 17 of the weights and Measures Act B.E. 2542

To operate the business.....

Machine.....

Type.....
.....
.....
.....

This certificate shall be valid until date..... month..... B.E.....

Issued on.....
.....

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Competent official

Affix the stamp of the Department of commercial Registry

Warning : the person who obtains this business operation certificate must pay for fee in undertaking business operation prior to the date of validity of this certification.

Department of Commercial Registration		For competent official No./receipt number..... Date of receipt..... Recipient.....
a. notification submission		
Dear..... I wish to apply to be an inspector and verification under the Weights and Measures Act B.E. 2541 as follows:		
Applicant's name..... Business operation is located at... Moo..... Trok/Soi..... Road..... Tombon/sub-district..... Amphur/district..... Province..... Post code..... Tel..... Fax.....		
Matter wishes to undertake		
To be an inspector and verify	<input type="checkbox"/> Weighing instrument <input type="checkbox"/> Volume measuring instrument <input type="checkbox"/> Measuring instrument	
Documents for the application		
1. business operation certificate 2. details of the lab 3. details of the tools and equipment 4. details of personnel 5. power of attorney (if any) including a photocopy of the authorizing person and person being authorized.		Amount..... Amount..... Amount..... Amount.....
I certify that the above statement is correct and true		
		(Signed)..... ผู้ขออนุญาต (.....) date..... month..... B.E.....
(affix the stamp of juristic person)		

b.consideration of a competent official

opinion of the competent official.....
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.....
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Signed.....
(.....)
Position.....
Date.....

opinion of the director-general or person entrusted by the director-general.....
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.....
.....

Signed.....
(.....)
Position.....
Date.....

License number.....

Chor Wor 102

Department of Commercial Registration

License to be an inspector and verification of weighing and measuring instruments

This license is issued to illustrate that

.....
To operate the business.....

Is a license holder

Machine.....

Type.....

In accordance with section 41 of the weights and Measures Act B.E. 2542

Place for inspection and verification is located at.....
.....
.....

This license shall be valid for..... years

As from date..... month..... B.E.....

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Affix the stamp of the Department of Commercial Registration