

**MEASUREMENT ACT,
B.E. 2542 (1999)****

BHUMIBOL ADULYADEJ, REX.

Given on the 7th Day of April B.E. 2542;
Being the 54th Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is expedient to revise the law on measurement;

This Act contains 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;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Assembly, as follows:

Section 1. This Act is called the "Measurement Act B.E. 2542 (1999)".

Section 2.¹ This Act shall come into force after 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 The following shall be repealed: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) Measurement Act, B.E. 2466 (1923);
- (2) Measurement Act Amendment, B.E. 2476 (1933);
- (3) Measurement Act, B.E. 2466 as amended B.E. 2477 (1934);
- (4) Announcement of the Revolutionary Council No.171 dated 30 June B.E. 2515 (1972);
- (5) Measurement Act (No. 4) B.E. 2526 (1983).

* Translated by Legal Opinion and Translation Section, Foreign Law Bureau, and reviewed by Professor Pijaisak Horayangkura under contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Initial Version – pending review and approval by the Office of the Council of State.

** As amended up to the Measurement Act (No. 3), B.E. 2557 (2014).

¹ Published in Government Gazette, Vol. 116, Part 29a, page 11, dated 21th April B.E. 2542 (1999).

Section 4. In this Act:

“Measurement” means unit which determine size or any comparison of volumes;

“Measurement Gauge” means weighing machine, volume measuring tool, and measurer;

“Weighing Machine” means machine which is used to weigh and display weight, and shall include the pendulum used in weighing, and component parts of the weighing machine as prescribed by the Minister;

“Volume Measuring Tool” means tool which, in appearance, is a container used to measure volume of things, and shall include component parts of the volume measuring tool as prescribed by the Minister;

“Measurer” means a tool which is used to measure and display volume or unit of anything, but is neither a weighing machine, nor a volume measuring tool, and shall include component parts of the measurer as prescribed by the Minister;

“Measurement Service” means a business operation providing weighing service, volume measuring service, and measure service of other person’s goods for the purpose of the purchase, sale, or exchange of goods which appears to be a business operation as prescribed in the Ministerial Regulation;

“Packaged Goods” means goods which is contained or is wrapped, and is aimed to be purchased, sold, or distributed as is contained or wrapped, whether or not the container or wrapper is also purchased, sold, or distributed;

“Packer” means the manufacturer of the packaged goods, and shall include the importer to the Kingdom, or the apportion packer of packaged goods, but shall not include retailer or distributor of product from the container or wrapper, with an intention not to be packaged goods anymore;

“Committee”² means Committee for Weights and Measures;

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

“Branch Bureau” mean branch bureau of the Central Bureau;

“Competent Official” means a civil servant appointed by the Minister for the execution of this Act;

“Weights and Measurement Inspector”³ means a civil servant or a local official under the law on local personnel administration whom the Minister appointed for the execution of this Act;

² In section 4, the definition “Committee” is added by Measurement Act (No.3), B.E. 2557 (2014)

³ In section 4, the definition “weights and measures inspector” is added by Measurement Act (No.3), B.E. 2557 (2014)

“Director-General” means the Director-General of the Internal Trade Department;

“Minister” means the Minister having charge and control of the execution of this Act.

Section 5.⁴ Minister of Commerce shall have charge and control of the execution of this Act, and shall have the power to appoint Competent Officials and Weights and Measurement Inspector, to issue Ministerial Regulations prescribing fees not exceeding the rate given in the schedule annexed hereto, to exempt fees prescribing for other matters, and to issue notifications under the provisions of this Act.

Such Ministerial Regulations and Notifications shall come into force upon their publication in the Government Gazette.

CHAPTER I GENERAL PROVISION

Section 6. There shall be a Central Bureau of Weights and Measures in the Department of Internal Trade, Ministry of Commerce. The Director-General of the Department of Internal Trade shall be in charge and be responsible for the performance of the Bureau and shall have authorities as follows:

- (1) to keep and maintain measurement prototype
- (2) to issue a certification of business and permit
- (3) to examine and certify Measurement Gauge
- (4) to register personal mark
- (5) to perform any other acts as provided for in this Act.

Section 7. The Minister shall have the power to establish a Branch Bureau in any area he or she thinks fit and may empower it to cover other areas.

The Minister may prescribe the Branch Bureau to have whole or a part of the authorities under Section 6.

The establishment of the Branch Bureau under paragraph one and the prescription of authorities under paragraph two shall be made by Notification and published in the Government Gazette.

⁴ section 5 is amended by Measurement Act (No.3), B.E. 2557 (2014)

Section 8.⁵ Weighing Machine and Volume Measuring Tool under this act shall mean all kind of Weighing Machines and Volume Measuring Tools, except Weighing Machines and Volume Measuring Tools which the Minister shall, by the advice of the Committee, notify to be exempted.

Measurer under this Act shall mean measurer which the Minister shall, by the advice of the Committee, notify to be included.

Section 9. All weighing, volume measuring, and measuring shall utilise metric system, or traditional system which is converted to metric system annexed hereto.

Section 10.⁶ In any purchase, sale or distribution of any goods in any area, if the Minister, by the advice of the Committee, agrees to utilise only metric system under Section 9, or to be made by either weighing, volume measuring, or measuring, the Minister, by the advice of the Committee, shall have the power to notify.

Notification under paragraph one shall come into force after the expiration of sixty days from the date of its publication in the Government Gazette.

Section 11.⁷ In the case where there is necessity to utilise any other measurement system other than those provided in Section 9, or in the case where there is necessity to utilise other Measurement Gauges apart from those provided in Notification under Section 16, for professional or scientific purpose, such measurement or Measurement Gauge shall be utilised if the Minister or the person entrusted by the Minister so permits.

CHAPTER 1/I COMMITTEE FOR WEIGHTS AND MEASURES⁸

Section 11/1.⁹ There shall be a Committee for Weights and Measures consisting of Permanent Secretary of Ministry of Commerce as Chairperson, representative of Consumer Protection Board, representative of That Industrial Standards Institute, representative of National Institute of Metrology, and no more than eight qualified members

⁵ section 8 is amended by Measurement Act (No.3) B.E. 2557 (2014)

⁶ section 10 is amended by Measurement Act (No.3) B.E. 2557 (2014)

⁷ section 11 is amended by Measurement Act (No.3) B.E. 2557 (2014)

⁸ Chapter 1/1 Committee for weights and measures section 11/1 to section 11/7 is added by Measurement Act (No.3) B.E. 2557 (2014)

⁹ section 11/1 is added by Measurement Act (No.3) B.E. 2557 (2014)

whom the Minister appointed from person having knowledge in metrology, or experience in weighing, volume measuring, or measuring as members.

Director-General shall be a member and secretary, and the Director-General shall appoint an official of the Central Bureau as a member and assistant secretary

Qualified member under paragraph one shall consist of at least one representative from the Thai Chamber of Commerce, and one representative from the Federation of Thai Industries.

Section 11/2.¹⁰ The Committee shall have the following powers and duties:

(1) to give advice to the Ministers in issuing Notifications under Section 8, Section 10, Section 16, Section 21/1, Section 32, and Section 33.

(2) to prescribe Institute or measurement organization of foreign government or international organization to certify document presenting the prototype of Measurement Gauge to be manufactured or imported under Section 21/1

(3) to propose plans and measures relating to the promotion and supervision of measurement.

(4) to give opinions on the amendment of this Act, Ministerial Regulations or Notifications under this Act.

(5) to perform any other act as entrusted by the Minister.

Section 11/3.¹¹ A qualified member appointed by the Minister shall hold office for a term of four years, but may not be appointed for more than two consecutive terms.

In the case where a qualified member appointed by the Minister vacates office upon the expiration of the term, if a new qualified member has not yet been appointed, the qualified member whose term has expired shall be in office to continue to perform the duties until a new qualified member assumes the duties. However, it shall not exceed sixty days from the date of the expiration of term.

In the case where a qualified member vacates office before the expiration of the term, or in the case where the Minister appoints an additional qualified member while the appointed qualified members are still in office, the appointee shall be in office for the unexpired term of office of the qualified member he or she replaces or the appointed qualified members.

Section 11/4.¹² In addition to vacating office on the expiration of term, a qualified member vacates office upon:

¹⁰ section 11/2 is added by Measurement Act (No.3) B.E. 2557 (2014)

¹¹ section 11/3 is added by Measurement Act (No.3) B.E. 2557 (2014)

- (1) death;
- (2) resignation;
- (3) being dismissed by the Minister due to negligence or dishonesty in the performance of duty, or incapacity;
- (4) being bankrupt, or dishonest bankrupt;
- (5) being an incompetent person, or a quasi-incompetent person;
- (6) being imprisoned due to a final judgment, except for an offence committed through negligence or a petty offence.

Section 11/5.¹³ At a meeting of the Committee, the presence of not less than one-half of the members is required to constitute a quorum.

At a meeting of the Committee, if the Chairperson does not attend or is unable to perform the duties, the present members shall elect one among themselves to preside over the meeting.

A decision of the meeting shall be made by a majority of votes. In casting a vote, each member shall have one vote. In case of an equality of votes, the presiding member shall have an additional vote as the casting vote.

Section 11/6.¹⁴ The Committee shall have the power to appoint subcommittees to consider and give opinions, or to perform any act entrusted by the Committee.

In a subcommittee meeting, section 11/5 shall apply *mutatis mutandis*.

Section 11/7.¹⁵ In the course of performance under Section 11/2, Section 11/6, the Committee or the Subcommittee may invite any person to give statements, explanations, opinions, or to send any document or evidence to be taken into consideration, if it sees appropriate.

CHAPTER II

MEASUREMENT PROTOTYPE

Section 12. A Measurement Gauge shall be examined on its accuracy by using a Measurement prototype under this Act.

¹² section 11/4 is added by Measurement Act (No.3), B.E. 2557 (2014)

¹³ section 11/5 is added by Measurement Act (No.3), B.E. 2557 (2014)

¹⁴ section 11/6 is added by Measurement Act (No.3), B.E. 2557 (2014)

¹⁵ section 11/7 is added by Measurement Act (No.3), B.E. 2557 (2014)

Measurement prototype under paragraph one shall be called the "Prototype" and be classified as Primary Prototype, Secondary Prototype, and Tertiary Prototype.

Primary Prototype means Prototype which the International Bureau of Weights and Measures prescribes, or approves its accuracy.

Secondary Prototype means Prototype which has been examined on its accuracy by using a Primary Prototype.

Tertiary Prototype means Prototype which has been examined on its accuracy by using a Secondary Prototype.

Section 13. The Minister shall provide Primary Prototypes for accuracy examination of Secondary Prototypes.

In the case where any type of Primary Prototype is unavailable, the Minister shall make available such type of Primary Prototype as the he or she thinks fit, and such Prototype shall be deemed a Primary Prototype.

Section 14. The Central Bureau shall make available Secondary Prototypes for accuracy examination of tertiary Prototypes.

Section 15. Central Bureau and Branch Bureau shall make available tertiary Prototypes for accuracy examination of Measurement Gauges.

CHAPTER III MEASUREMENT GAUGE

Section 16.¹⁶ The Minister, by the advice of the Committee, shall notify prescribing types, and characteristic of Measurement Gauges, and details of materials which are used to manufacture Measurement Gauges.

Section 17. A person who is going to run a business of manufacture, import, sale, repair of Measurement Gauges or provide Measurement Service shall comply with the rules as prescribed in the Ministerial Regulations, and shall notify a Competent Official at the Central Bureau or a Branch Bureau in accordance with the form prescribed in the Ministerial Regulations.

Whenever a Competent Official is notified under paragraph one, and he or she has checked the correctness as prescribed in the Ministerial Regulations, he or she shall

¹⁶ section 16 is added by Measurement Act (No.3), B.E. 2557 (2014)

issue a business certificate in accordance with the form prescribed in the Ministerial Regulation to the notifier within seven days from the date of the notification.

In the case where the notification is done incorrectly, the Competent Official shall notify the notifier to correct it within seven days from the date the Competent Official has been notified, if the notifier fails to do so within seven days from the date he or she is notified by the Competent Official, the Competent Official shall have the power to order the notification under paragraph one to become ineffective.

In the case where the notifier has corrected it within the time specified under paragraph three, the Competent Official shall issue a business certificate to the notifier within three days from the date of the receipt of the correct notification.

The grantee of the business certificate shall pay business certificate fee and business fee in accordance with the rules, procedures, and rates prescribed in the Ministry Regulation.¹⁷

Section 18. In the case where a business certificate is lost, or destroyed, the entrepreneur shall apply for a substitute of business certificate within fifteen days from the date of knowing of such loss or destruction.

Section 19. An entrepreneur shall present a business certificate or a business certificate substitute in an open and conspicuous place at the place for manufacture, import office, place of sale, place for the repair of Measurement Gauges, or place for Measurement Service, as the case may be, unless the application for certificate substitute is in progress under Section 18.

Section 19/1.¹⁸ Any entrepreneur who fails to pay the business fee under Section 17 within the specific time, or contravene or fails to comply with Section 21 paragraph two, or Section 34, the Director-General or a person entrusted by the Director-General shall have the power to suspend the business certificate for a period of not more than 30 days each, but shall not exceed two times under the same ground.

An entrepreneur whose business certificate is suspended shall cease to operate such business, and during such suspension period, he or she may not apply for any business certificate under this Act.

¹⁷ section 17 paragraph five is added by Measurement Act (No.3), B.E. 2557 (2014)

¹⁸ section 19/1 is added by Measurement Act (No.3), B.E. 2557 (2014)

Section 19/2.¹⁹ A Director-General or a person entrusted by the Director-General shall have the power to revoke business certificates when the entrepreneur fall under one of the following circumstances:

- (1) operating the business while his or her certificate is suspended;
- (2) having the business certificate suspended under Section 19/1 for two times, and there is a ground for suspending such certificate again;
- (3) having the certificate revoked under Section 47, or;
- (4) having been sentenced by a final judgment as an offender under Section 72, Section 74, Section 75, Section 75/1, Section 76, or Section 80, .

The person having the business certificate revoked may reapply for a business certificate after a period of two years from the date of the revocation of business certificate has lapsed. However, a person whose business certificate has been revoked twice, regardless of the ground of revocation, shall not be entitled to apply for business certificate.

Section 19/3.²⁰ In a determination of suspension or revocation of business certificate under Section 19/1, or Section 19/2, the Director-General or a person entrusted by the Director-General shall grant the entrepreneur and relevant Competent Official opportunities to give explanation and present evidence pertaining thereto as appropriate.

The suspension or revocation of business certificate shall be made in writing, with the reason supporting the issuance of order provided and shall be informed to the entrepreneur by registered post or by courier.

In the case where the order under paragraph two is informed by registered post, it the entrepreneur is deemed to be informed at the end of the period of seven days from the date the post is sent in domestic cases, or fifteen days in international cases, unless it is proven that the entrepreneur has never received or has received before or after such date.

In the case where the order under paragraph two is informed by courier, if the entrepreneur is not found or refuses to receive the order, the courier shall post the order in an open and conspicuous place at the business establishment of the entrepreneur, and the entrepreneur is deemed received the order on the date the order is posted.

Section 20.²¹ (Repealed)

Section 21.²² An entrepreneur shall run the business in accordance with the rules prescribed in the Ministerial Regulations.

¹⁹ section 19/2 is added by Measurement Act (No.3), B.E. 2557 (2014)

²⁰ section 19/3 is added by Measurement Act (No.3), B.E. 2557 (2014)

²¹ section 20 is repealed by Measurement Act (No.3), B.E. 2557 (2014)

In the case where there is a contravention or failure to comply with paragraph one, the Director-General or a person entrusted by the Director-General shall serve on the entrepreneur a written notice to comply within the time specified, which shall not exceed thirty days.

Section 21/1.²³ An Entrepreneur who wishes to manufacture or import Measurement Gauges to be used in the business under section 25 shall send a Measurement Gauge prototype which is to be manufactured or imported along with pertaining documents or documents presenting the prototype of such Measurement Gauge which is certified by a foreign government's or international institute or organization as prescribed by the Committee to the Central Bureau to grant approval from the Competent Official, and such manufactured or imported Measurement Gauge must be identical to the approved prototype.

Submission of prototypes and approval of the Competent Officials shall be in accordance with rules, procedures, and conditions prescribed in the notification of the Minister, with the advice of the Committee. In such notification, the scope of time in considering the grant of approval shall also be prescribed.

Section 22. An entrepreneur who runs Measurement Service business shall, on all occasions, issue a measurement report to the service client. In such report, there shall be a signature of the measurement supervisor, and the date, time and place thereof, as well.

Section 23. The Director-General shall have the power to issue notifications prescribing Measurement Gauge maintenance and Measurement Service practice to apply to Measurement Service provider or measurement supervisor.

In the case where there is a contravention of the practice under paragraph one, the Director-General or a person entrusted by the Director-General shall order, in writing, to correct or comply with the correct practice within the time specified.

Section 24. An entrepreneur of Measurement Gauges selling business shall not sell or distribute a Measurement Gauge which is uncertified under section 30, or which the certification thereof is expired under section 33, save for Measurement Gauges which the Minister notify prescribing the exemption of certification under section 29 paragraph two.

Section 25. In a sale or exchange of merchandise with other person, or in the Measurement Service, or a use of Measurement Gauge for the purpose of the

²² section 21 is amended by Measurement Act (No.3), B.E. 2557 (2014)

²³ section 21/1 is added by Measurement Act (No.3), B.E. 2557 (2014)

calculation of remuneration, tax and fee, no person shall use a Measurement Gauge which is uncertified under section 30, or which certification thereof is expired under section 33, whether such Measurement Gauge is under the exemption prescribed by the notification of the Minister under section 29 paragraph two.

The Minister shall have the power to issue notifications prescribing the usage of Measurement Gauge to be applied to users of Measurement Gauge.

Section 26.²⁴ Accuracy of the Measurement Gauge which is used in the business under section 25 must be within the contingency rate as per the prescribing notification of the Minister, with the advice of the Committee.

Section 27.²⁵ In a case where there is a dislocation of an embedded Measurement Gauge as the Minister prescribed in the Government Gazette, and such Measurement Gauge is certified, the possessor thereof shall inform, in writing, the Central Bureau or a Branch Bureau within fifteen days from the date of the completion of installation in order to be re-examined and re-certified by the Competent Official.

Section 28. In a case where the manufacturer, importer, vendor, repairer of Measurement Gauge, or Measurement Service provider alters the place of manufacturing, importing, vending, repairing, or the place of Measurement Service, or has many places of manufacturing, importing, vending, repairing, Measurement Service, he or she shall inform every alteration, or business operation of any of such place or office.

CHAPTER IV CERTIFICATION

Section 29. A Measurement Gauge shall be examined and certified by a Competent Official.

The provisions of paragraph one shall not apply to Measurement Gauges which the Minister has notified the exemption of certification.

Section 30.²⁶ An examination of Measurement Gauges shall be undertaken by comparing with a Prototype, if it is satisfactory that it is consistent with this Act, Ministerial

²⁴ section 26 is amended by Measurement Act (No.3), B.E. 2557 (2014)

²⁵ section 27 is amended by Measurement Act (No.3), B.E. 2557 (2014)

²⁶ section 30 is amended by Measurement Act (No.3), B.E. 2557 (2014)

Regulations, and Notification issued under this Act, a Competent Official shall grant a certification.

A certification shall be made as the following:

(1) stamping or indicating a certification mark of the Central Bureau or Branch Bureau on every Measurement Gauge;

(2) apart from the method in (1) the Director-General may also prescribe a document indicating the certification of a Measurement Gauge therewith. However, in the case of a Measurement Gauge which apparently cannot be stamped or displayed of a certification mark, or if a certification mark is stamped or displayed, such Measurement Gauge shall be damaged, a document of certification shall be issued instead.

A document of certification may be made as a sticker and be stuck to the Measurement Gauge. In the case of a set of Measurement Gauges, a single document of certification may be issued collectively for the set of Measurement Gauges.

A certification mark shall be in accordance with the form prescribed in the Ministerial Regulations. A document of certification shall be as prescribed by the Director-General.

Section 31. For the purpose of the consideration of certification, the Director-General may request a State Agency, State Organization, State Enterprise, or a foreign or international measurement office or organization to examine a Measurement Gauge, and certify such Measurement Gauge under the rules, procedures, and conditions prescribed by the Director-General, and such examination shall be deemed examination by using a prototype and certification under section 30 paragraph one.

Section 32.²⁷ There shall be two types of certification: certification of Measurement Gauges which have not been certified shall be called primary certification; recertification after the first certification shall be called secondary certification. In making primary and secondary certification, the accuracy of the Measurement Gauge shall be within contingency rate under section 26.

The Minister, with the advice of the Committee, shall have the power to notify prescription of the prohibition of secondary certification for any kind of Measurement Gauge.

Section 33.²⁸ The life of the certification of Measurement Gauge shall be as prescribed by the Minister, with the advice of the Committee. In certification, the Competent

²⁷ section 32 is amended by Measurement Act (No.3), B.E. 2557 (2014)

²⁸ section 33 is amended by Measurement Act (No.3), B.E. 2557 (2014)

Official shall stamp or display the expiry date of such certification on the Measurement Gauge, and on the document of certification for such Measurement Gauge.

In the case where the certification of a Measurement Gauge is to be expired under paragraph one, an application for secondary examination and certification shall be submitted at least thirty days prior to the expiry date of such certification. The life of the secondary certification shall be counted after the expiration, and if the application is submitted, the Measurement Gauge may be used until a Competent Official refuse to issue a certification.

Section 34. The following entrepreneurs shall take the Measurement Gauges to be examined to obtain certification under section 30 within the time limit under section 36:

- (1) manufacturer of Measurement Gauge, except in the case of manufacturing for exportation under section 65;
- (2) importer uncertified of measurement gauges;
- (3) vendor of Measurement Gauges who possesses the uncertified Measurement Gauge;
- (4) repairer of Measurement Gauges.

Section 35. A person who import a Measurement Gauge which is not a Measurement Gauge which the Minister has notified prescription of the exemption under section 29 paragraph two into the Kingdom shall comply with the rules, procedure as prescribed by the Minister before receiving such Measurement Gauge from a competent official under the law on Customs.

If the Minister so agree, he or she may notify that an importer of any Measurement Gauge may import it into the Kingdom without having to comply with the provisions of paragraph one.

Section 36. An application for examination for certification under section 34 shall be submitted to a Competent Official at the Central Bureau or a Branch Bureau.

In the case under section 34 (1) and (2), the application shall be submitted before the sale of Measurement Gauges, but shall not exceed thirty days from the date of the manufacturing or receiving from the official under the law on Customs.

In the case under section 34 (3), the application shall be submitted before the sale of Measurement Gauges, but shall not exceed thirty days from the date of possession of the Measurement Gauges.

In the case under section 34 (4), the application shall be submitted before the delivery to the owner, or before the sale of Measurement Gauge, but shall not exceed thirty days from the date of the completion of repair.

The time limit under this section may be extended according to necessity by the Director-General or the person entrusted by the Director-General upon request.

Section 37. The possessor of an uncertified Measurement Gauge shall submit an application for examination of Measurement Gauge for certification to a Competent Official at the Central Bureau, or a Branch Bureau within thirty days from the date of the possession of the Measurement Gauge.

The time limit provided in paragraph one may be extended according to necessity by the Director-General or the person entrusted by the Director General upon request.

Section 38. In the case where the Measurement Gauges which are to be examined are embedded, or are difficult to move, or are in great number, the applicant may request the Competent Official to examine outside the Central Bureau or Branch Bureau, and shall pay the performance fee to the Competent Official at the rate prescribed in the Ministerial Regulation, and shall pay necessary expenses for the transportation of the Competent Official as necessary and actually paid.

Section 39.²⁹ In the case where a Measurement Gauge being applied to obtain certification from the Competent Official is incorrect under this Act, Ministerial Regulations, or Notifications issued under this Act, if the official is of the opinion that it may be corrected, he or she shall order the applicant to correct it and shall then re-examine.

In the case where the Competent Official is of the opinion that the Measurement Gauge is unable to be corrected, the Competent Official shall have the power to destroy such Measurement Gauge or perform any act to bar the use of such Measurement Gauge. If such Measurement Gauge has already had a certification mark, the Competent Official is entitled to destroy the certification mark, or stamp a mark indicating the invalidation of such original certification mark.

The mark indicating the invalidation of original certification mark shall be as prescribed by the Director-General.

Section 40. A manufacturer, importer, or repairer of Measurement Gauges shall have an identification mark, and shall stamp or display such mark at Measurement Gauges before applying for examination to obtain certification from the Competent Official.

²⁹ section 39 is amended by Measurement Act (No.3), B.E. 2557 (2014)

In the case where the identification mark cannot be stamped or displayed at a Measurement Gauge due to the condition of such Measurement Gauge, or the stamp or display of the identification mark shall cause damage to such Measurement Gauge, the stamp or display of such mark may be made by other method instead.

The stamp or display of identification mark under paragraph one and paragraph two shall be in accordance with the rules of the Central Bureau.

The identification mark under paragraph one shall be registered at the Central Bureau or a Branch Bureau in accordance with the rules, and procedures prescribed in the Ministerial Regulation, and the Central Bureau and a Branch Bureau are prohibited from registering identification mark which is identical, or similar to an identification mark already notified by another person, or consist of a prohibited characteristic as prescribed by the Director-General.

Section 41. A manufacturer or a repairer of Measurement Gauges may request permission from the Director-General or the person entrusted by the Director-General to be a person to examine, or certify Measurement Gauges manufactured or repaired by such manufacturer or repairer.

The application for permission and the issuance of permit shall be in accordance with the rules, procedures, and conditions prescribed in the Ministerial Regulation, in which the scope of time in considering the grant of approval shall also be specified.

Section 42. The permit grantee under section 41 shall examine, and certify Measurement Gauges manufactured or repaired by himself or herself in accordance with the rules, procedures, and conditions prescribed by the Central Bureau.

Section 43. The permit shall be valid for a term specified therein, which shall not exceed five years each from the date of the issuance of each permit. If the grantee wishes to renew the permit, he or she shall submit an application before the expiration of the permit. Upon the submission of application, he or she may continue to act as permitted until the Director-General or the person entrusted by the Director-General orders the non-renewal of the permit.

The application for the renewal of permit and the permission shall be in accordance with the rules, procedures, and conditions, prescribed in the Ministerial Regulation.

Section 44.³⁰ (repealed)

³⁰ section 44 is repealed by Measurement Act (No.3) B.E. 2557 (2014)

Section 45. The permit shall be exclusive to the grantee.

Section 46.³¹ Any grantee who violate or fails to comply with this Act or the conditions of the permission prescribed in the Ministerial Regulation may be ordered, by the Director-General or the person entrusted by the Director-General, to suspend his or her permit for not exceeding thirty days each time, and may not be suspended for more than two times on the same ground.

A grantee whose permit is suspended shall cease to operate as permitted by the permit, and in the suspension period shall not be entitled to apply for a permit under this Act.

Section 47.³² The Director-General or the person entrusted by the Director-General shall have the power to revoke the permit in the case where a grantee falls under one of the following circumstances:

(1) examining, and certifying a Measurement Gauge which he or she manufactures, or repairs, while his or her permit is suspended;

(2) having been ordered, under section 46, to suspend the permit twice, and there is a cause to suspend the permit again.

(3) having been ordered to revoke the business certificate under section 19/2, or;

(4) having been sentence by a final judgment, as an offender of the offence under section 74, section 75, section 75/1, section 76, section 77, section 78, or section 80.

The person whose permit is revoked may reapply for the permit only after a period of two years from the date the permit is revoked has lapsed. However, the person whose permit has been revoked for two times, for whatever cause, is not entitled to apply for any permit.

Section 48.³³ In a consideration for suspension or revocation of permit under section 46 or section 47, the Director-General or the person entrusted by the Director-General shall grant appropriate opportunities to the applicant and relevant officials to give explanation, and present reasonable evidences pertaining thereto as appropriate.

The suspension or the revocation order shall be made in writing stating the reason of the issuance of the order, and shall be notified to the permit holder by registered post, or by courier.

³¹ section 46 is amended by Measurement Act (No.3) B.E. 2557 (2014)

³² section 47 is amended by Measurement Act (No.3) B.E. 2557 (2014)

³³ section 48 is amended by Measurement Act (No.3) B.E. 2557 (2014)

When the notification of order under paragraph two is made by registered post, the permit holder shall be deemed notified at the end of a seven-day period in the case of domestic post, or at the end of a fifteen-day period in the case of international post, unless there is a prove that it has never been received, or is received before or after such date.

In the case where the notification of order under paragraph two is made by courier, if the permit holder is not found, or refuses to receive the order, the courier shall post such order at an open and conspicuous place at the place of manufacturing or repairing of the permit holder, and the permit holder is deemed received the order as from the date the order is posted.

Section 49³⁴. (repealed)

Section 50. If a permit is lost or destroyed while it has not expired, the permit holder shall apply for a permit substitution within fifteen days as from the date of knowing of such loss or destruction.

The application for permit substitution, and the issuance of the permit substitution shall be in accordance with the rules and procedures prescribed in the Ministerial Regulation.

Section 51. The permit holder shall display the permit or the permit substitution at an open and conspicuous place at the place of manufacturing or repairing of the permit holder, unless the application for permit substitution is in process under section 50.

CHAPTER V

AUTHORITIES OF THE WEIGHTS AND MEASURES INSPECTOR

Section 52. In performance of duties, a Weights and Measures Inspector shall have the following powers:

(1) to enter into the place of manufacture, place of sales, or a storage of Measurement Gauges, or Packaged Goods of the type which the Minister has prescribed the Packer to comply with section 62 during business hours to inspect such Measurement Gauges or Packaged Goods;

(2) to enter into any place to inspect Measurement Gauges which are used in the business specified in section 25;

³⁴ section 49 is amended by Measurement Act (No.3), B.E. 2557 (2014)

(3) to search any place or vehicle in which there is a reasonable doubt that there has been a commission of offence under this Act, or offence under section 270, or section 271 of the Penal Code between sunrise and sunset, or during business hour, and in the case where there is reasonable belief that if there is a delay in obtaining the search warrant, there shall be a moving, hiding, or destruction of the Measurement Gauges, or Packaged Goods related to the offence, and the search in such time has not been completed yet, the search may continue;

(4) to seize or confiscate the Measurement Gauge, or Packaged Goods related to the offences prescribed in (3)

In performance of duties under (1), (2), (3), and (4), a Weights and Measures Inspector may be accompanied by officials, or employees of the Central Bureau or Branch Bureau to assist with the tasks.

Section 53. If it appears that a Measurement Gauge seized, or confiscated under section 52 (4) is not necessary to be used as an evidence in the proceedings, the Central Bureau or a Branch Bureau shall return or revoke the seize of such Measurement Gauge within thirty days as from the date of the seizure or confiscation.

If the public attorney has the absolute non-prosecution order, or if the court does not adjudicate to seize, and the owner or the possessor does not inquire the return within one hundred and twenty days as from the date of the non-prosecution order, or the final judgment, as the case may be, the Measurement Gauge seized under paragraph one shall belong to the Department of Internal Trade, and shall be dealt with in accordance with the rules prescribed by the Director-General.

If the Public attorney has the absolute non-prosecution order, or if the court does not adjudicate to seize, the Weights and Measures Inspector shall revoke the seizure of the Measurement Gauge seized under paragraph one without delay.

Section 54. A Weights and Measures Inspector has power to order the owner or possessor of Packaged Goods seized or confiscated under section 52 (4) to correct such package, or may order to destroy such package of goods, and return the goods to the owner or the possessor.

In the case where the owner or the possessor fails to comply with the order of the Weights and Measures Inspector under paragraph one, the Weights and Measures Inspector shall have the power to destroy the package of such goods, and return the goods to the owner or the possessor, provided that the owner or the possessor shall pay the expense of such return. However, in the case where the package is destroyed, if, by its nature, such goods cannot be returned, the Weights and Measures Inspector shall notify the owner or the possessor to transfer the goods from the package, and return the goods within

the time specified but shall not be less than thirty days as from the date of the notification. If the owner or the possessor fails to comply, such goods shall belong to the Department of Internal Trade, and shall be dealt with in accordance with the rules prescribed by the Director-General.

Section 55. If, at the moment of the seizure of Measurement Gauge or Packaged Goods seized under section 53 (4), the owner or the possessor is not present, and no person present himself or herself as the owner or the possessor within ninety days as from the date of the seizure, the Measurement Gauge or Packaged Goods shall belong to the Department of Internal Trade, and shall be dealt with in accordance with the rules prescribed by the Director-General.

Section 56. If the Packaged Goods seized under section 52 (4) is perishable, or prone to be damaged if it is maintained, or the maintenance will be unreasonably costly, the Director-General or the person entrusted by the Director-General may sell or distribute such Packaged Goods before the specified time under section 55. The money received, after deduction of expenses, shall be seized in lieu of such Packed Goods.

The sale or disposal under paragraph one shall be in accordance with the rules prescribed by the Director-General.

Section 57³⁵. In the case where a Weights and Measures Inspector find a Measurement Gauge which is not in accordance with this Act, Ministerial Regulations, or Notification issued under this Act, or a Measurement Gauge which has an accuracy rate of less than the contingency rate under section 26, The Weight and Measure Inspector shall have the power to destroy the certification mark and make a mark prohibiting the use of such Measurement Gauge until it is corrected and took to a Competent Official for examination and recertification, or seize such Measurement Gauge and send back to the Central Bureau or Branch Bureau.

If the owner or the processor of the Measurement Gauge seized under paragraph one is not in existent, or if the owner or the possessor fails to request the return within ninety days as from the date of the seizure, such Measurement Gauge shall become the property of the Department of Internal Trade, and shall be dealt with in accordance with the rules prescribed by the Director-General

If the owner or the possessor of the Measurement Gauge seized under paragraph one request the return within ninety days as from the date of the seizure, The Central Bureau or the Branch Bureau shall return such Measurement Gauge to the owner or the possessor of such Measurement Gauge, according to the rules and procedures

³⁵ section 57 is amended by Measurement Act (No.3), B.E. 2557 (2014)

prescribed by the Director-General. If, however, the Central Bureau or Branch Bureau is of an opinion that such Measurement Gauge may have to be corrected, or should no longer be a Measurement Gauge, it shall, in any manner, disable such Measurement Gauge, and then return it to the owner or the possessor.

The mark prohibiting the use of Measurement Gauge shall be as prescribed by the Director-General.

Section 57/1³⁶. No person shall eradicate, destroy, or vandalise the mark, certification mark or any other thing which is made by the Weights and Measures Inspector to present the seizure, or confiscation under section 52(4), or the mark forbidding the use of Measurement Gauge under section 57, unless permitted by a Competent Official.

The permission under paragraph one shall be in accordance with the rule, procedure and condition prescribed by the Director-General.

Section 58. In performance of duties of a Weights and Measures Inspector under section 52, the relevant persons shall facilitate as appropriate.

Section 59. In performance of duties under this Act, a Weights and Measures Inspector shall produce an identification card to relevant persons.

An identification card of a Weights and Measures Inspector shall be in accordance with the form provided in the Ministerial Regulation.

Section 60. In performance of duties under this Act, a Weights and Measures Inspector shall be an official under the Penal Code.

Section 61. For the purpose of capture and suppress of offenders under this Act, a Weights and Measures Inspector shall be an administrative official, or police under the Criminal Procedure Code.

CHAPTER VI PACKAGED GOODS

Section 62. The Minister shall have the power to issue a Notification prescribing the kind of Packaged Goods in which the Packer must:

- (1) indicate the quantity of goods which is packaged;
- (2) indicate the quantity of goods as per the prescribed rules and procedures, or;

³⁶ section 57/1 is added by Measurement Act (No.3), B.E. 2557 (2014)

(3) pack the goods in the specified quantity.

The Notification under paragraph one shall be published in the Government Gazette, and shall come into force as from the date specified by the Minister, but shall not be less than sixty days as from the date of its publication in the Government Gazette.

Section 63. The indication of quantity of goods under section 62 or which the Packer displays on the package shall be accurate, and be in accordance with the quantity of the goods in the package.

The indication of quantity of goods on the package which is inaccurate within the contingency rate as prescribed by the Minister shall be deemed accurate quantity indication.

The inspection of accuracy of quantity indication of goods under paragraph one shall be in accordance with the rules and procedures prescribed by the Director-General.³⁷

Section 64. The importer shall indicate the quantity of all imported Packaged Goods which display the quantity of goods in accordance with foreign measurement in accordance with the measurement under this Act, and under the procedures and conversion rate of foreign measurement and measurement under this Act as prescribed by the Minister.

The indication of quantity under paragraph one shall be done before receiving the goods from the competent official under the law on Customs, unless the Director-General or the person entrusted by the Director-General permits to do so thereafter in accordance with the procedures and condition prescribed.

CHAPTER VII

MEASUREMENT GAUGE FOR EXPORT

Section 65. A manufacturer of Measurement Gauge for export must comply with the rules, procedures, and conditions of manufacture and export which the Minister prescribed in the Government Gazette.

All Measurement Gauges manufactured for export under paragraph one shall be exempted from certification as prescribed in this Act; however, the manufacturer may bring such Measurement Gauges to the Competent Official for certification.

³⁷ section 63 paragraph three is added by Measurement Act (No.3) B.E. 2557 (2014)

CHAPTER VII/I
APPEAL³⁸

Section 65/1³⁹. There shall be a Board of Appeals consisting of not more than five qualified members whom the Minister appointed by selecting from person having knowledge on metrology or law, or is experienced in weighing, volume measuring, or measuring.

The Board of appeals shall elect one among themselves as the chairperson of the Board.

The Director-General shall appoint an official of the Central Bureau as the secretary and not more than two additional officials as assistant secretary.

Section 65/2⁴⁰. The Board of appeals shall have the authorities as follows:

(1) to consider and make a decision on the appeal submitted under section 65/4;

(2) to prescribe rules and procedures for submission of an appeal, and the consideration of an appeal under section 65/5;

(3) to issue a letter summoning relevant persons to give statements, or send documents, or evidences to be considered in the hearing of the appeal.

Section 65/3⁴¹. The provisions of section 11/3, section 11/4, and section 11/5 shall be apply to the Board of Appeals *mutatis mutandis*.

Section 65/4⁴². The person receiving the order of the Competent Official under section 17 paragraph three or section 39, the person receiving the order of the Director-General or the person entrusted by the Director-General under section 41 or section 43, the person receiving the order of the Weights and Measures Inspector under section 57, the person ordered the suspension or revocation of the business certificate under section 19/1 or section 19/2, or the person ordered the suspension or revocation of permit under section 46 or section 47 shall have the right to appeal, in writing, to the Board of Appeals within thirty days from the date of being notified of the order.

³⁸ Chapter 7/1 Appeal section 65/1 to section 65/5 is added by Measurement Act (No.3), B.E. 2557 (2014)

³⁹ section 65/1 is added by Measurement Act (No.3), B.E. 2557 (2014)

⁴⁰ section 65/2 is added by Measurement Act (No.3), B.E. 2557 (2014)

⁴¹ section 65/3 is added by Measurement Act (No.3), B.E. 2557 (2014)

⁴² section 65/4 is added by Measurement Act (No.3), B.E. 2557 (2014)

Section 65/5⁴³. Rules and procedures for submission of appeals, and the procedure governing the hearing of appeals shall be as prescribed by the Board of Appeals.

The Board of Appeals shall consider and decide an appeal within forty-five days from the date it receives the appeal, and shall notify, in writing, the appellant of the decision.

The decision of the Board of Appeals shall be final.

CHAPTER VIII PENALTIES

Section 66. Whoever uses a Measurement Gauge other than those prescribed in section 9 in the purchase, sale, or distribution of goods shall be liable to a fine not exceeding five thousand baht.

Section 67⁴⁴. Whoever uses a Measurement Gauge, or undertake the weighing, volume measuring, or measuring in a purchase, sale, or distribution without complying with the Notification of the Minister under section 10, or use a Measurement Gauge of other system, or use other Measurement Gauge for profession or scientific purpose without receiving permission from the Minister or the person entrusted by the Minister under section 11 shall be liable to a fine not exceeding five thousand baht.

Section 68. Whoever operates business under section 17 without a business certificate shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding forty thousand baht, or to both.

Section 69. Any entrepreneur who fails to comply with section 18 or section 19, or any permit grantee who fails to comply with section 50 or section 51 shall be liable to a fine not exceeding one thousand baht.

Section 70⁴⁵. Whoever fails to comply with the notifying letter of the Director-General or the person entrusted by the Director-General under section 21 paragraph two, or the Notification of the Minister under section 25 paragraph two, or violates or fails to comply with section 24, section 25 paragraph one, or section 28 shall be liable to

⁴³ section 65/5 is added by Measurement Act (No.3), B.E. 2557 (2014)

⁴⁴ section 67 is amended by Measurement Act (No.3), B.E. 2557 (2014)

⁴⁵ section 70 is amended by Measurement Act (No.3), B.E. 2557 (2014)

imprisonment for a term of not exceeding six months, or to a fine not exceeding twenty thousand baht, or to both.

Section 71. In the operation of Measurement Service business, if the entrepreneur fails to comply with section 22, he or she shall be liable to a fine not exceeding five thousand baht.

Section 72. In the operation of Measurement Service business under section 17, whoever issues a false measurement document in order to cause damage to any person shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding forty thousand baht, or to both.

Section 73. Any possessor of an embedded Measurement Gauge who fails to comply with section 27 shall be liable to a fine not exceeding ten thousand baht.

Section 74. Any person who:

- (1) forges or alters a certification mark or a letter of certification of the Central Bureau or a Branch Bureau;
 - (2) takes a certification mark of the Central Bureau or a Branch Bureau from one Measurement Gauge to apply to another Measurement Gauge; or,
 - (3) erases the mark of the Competent Official which demonstrate the voidance of the original certification mark,
- shall be liable to imprisonment for a term of not exceeding seven years, and to a fine not exceeding two hundred and eighty thousand baht.

Section 75⁴⁶. Whoever acts in any way to make the Measurement Gauge which has been certified under section 30 display the weight, volume, quantity, or other unit different from that accuracy certified more than the contingency rate under section 26 shall be liable to imprisonment for a term of not exceeding three years, and to a fine not exceeding one hundred and twenty thousand baht.

Section 75/1⁴⁷. Whoever alters or modifies a component part of the Measurement Gauge or the programme used with the Measurement Gauge by utilising a computer system or other similar system, or act in any way to make the accuracy of the Measurement Gauge differ more than the contingency rate under section 26 shall be liable

⁴⁶ section 75 is amended by Measurement Act (No.3), B.E. 2557 (2014)

⁴⁷ section 75/1 is added by Measurement Act (No.3), B.E. 2557 (2014)

to imprisonment for a term of not exceeding seven years, and to a fine not exceeding two hundred and eighty thousand baht.

Section 76⁴⁸. Whoever, knowing that there is a contravention of section 74, section 75, and section 75/1 to a Measurement Gauge, does one of the following acts shall be liable to the penalty specified in section 74, section 75, or section 75/1 as the case may be:

- (1) sell or distribute, or possess for sale or distribution of such Measurement Gauge; or,
- (2) use or possess for use of such Measurement Gauge in the business under section 25 paragraph one.

Section 77. Any permit grantee under section 41 who takes the certification mark or the certification letter of the Central Bureau or a Branch Bureau received from the Competent Official to be used for certification granting in the period of suspension or revocation of permit shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding forty thousand baht, or to both.

Section 78. Any permit grantee under section 41 who takes the certification mark or certification letter of the Central Bureau or a Branch Bureau received from the Competent Official to apply to a Measurement Gauge which he or she does not manufacture, or repair shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding forty thousand baht, or to both.

Section 79⁴⁹. Whoever, knowing that a Measurement Gauge has an inaccuracy of more than the contingency rate under section 26, uses or possesses such Measurement Gauges for use in the business under section 25 paragraph one shall be liable to imprisonment for a term of not exceeding six months, or to a fine not exceeding twenty thousand baht, or to both.

Section 80⁵⁰. Whoever does one of the following acts without permission from a Competent Official under section 57/1 shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding forty thousand baht, or to both:

- (1) eradicate, destroy, or vandalise a mark or other thing the Weights and Measures Inspector made to indicate the seizure or confiscation under section 52 (4);

⁴⁸ section 76 is amended by Measurement Act (No.3), B.E. 2557 (2014)

⁴⁹ section 79 is amended by Measurement Act (No.3), B.E. 2557 (2014)

⁵⁰ section 80 is amended by Measurement Act (No.3), B.E. 2557 (2014)

(2) eradicate, destroy or vandalise a prohibition mark the Weights and Measures Inspector made under section 57 paragraph one; or,

(3) eradicate, destroy or vandalise a certification mark.

Section 81. Any entrepreneur in the manufacturing, import, sale, or repair of Measurement Gauges who violates section 34 shall be liable to imprisonment for a term of not exceeding six months, or to a fine not exceeding twenty thousand baht, or to both.

Section 82⁵¹. Whoever fails to facilitate as appropriate to the Weights and Measures Inspector in performing of the duty under section 58, or fails to comply with the summoning letter of the Board of Appeals under section 65/2 (3) shall be liable to a fine not exceeding five thousand baht.

Section 83. Any Packer who violates the Notification of the Minister prescribed under section 62 shall be liable to imprisonment for a term of not exceeding six months, or to a fine not exceeding twenty thousand baht, or to both.

Section 84. Any Packer who packs the Packaged Goods knowing that the quantity of the goods contained in the packaged is inconsistent with that indicated which is likely to cause damage to other persons or public shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding forty thousand baht, or to both.

Section 85. Whoever sells, or distributes, or possesses for sale, or distribution of Packaged Goods knowing that the quantity of the goods contained in the packaged is inconsistent with that indicated which is likely to cause damage to other persons or public shall be liable to imprisonment for a term of not exceeding six months, or to a fine not exceeding twenty thousand baht, or to both.

Section 86. Any person who sells or possesses for sale of Packaged Goods on which the quantity of goods is not indicated under section 62 (1) or section 64 paragraph one shall be liable to a fine not exceeding five thousand baht.

Section 87. Any importer who fails to comply with the method for the indication of quantity of goods and conversion rate prescribed by the Minister under section 64 paragraph one, or fails to comply with the procedures or conditions prescribed by the Director-General or the person entrusted by the Director-General under section 64 paragraph two shall be liable to a fine not exceeding five thousand baht.

⁵¹ section 82 is amended by Measurement Act (No.3), B.E. 2557 (2014)

Section 88. In the case where the offender liable under this Act is a juristic person, the managing director, a manager, or representative of such juristic person shall also be liable to the punishment prescribed for such offence, unless such person can prove that he or she was not involved in, or did not give consent to the offence committed by such juristic person.

Section 89. In the case where the following official is of an opinion that the offender ought not to be imprisoned, or prosecuted for the offence under this Act which is only punishable by a fine, or an imprisonment for a term of not exceeding six month, or a fine not exceeding twenty thousand baht, or both shall have the power to settle the offence by way of payment:

(1) the Director-General or the person entrusted by the Director-General, for the offences taking place in Bangkok;

(2) the *Changwat* Governor, or the person entrusted by the *Changwat* Governor, for the offences taking place in any other *Changwat*.

Upon payment by the offender of the settled amount of fine within thirty days as from the date of the settlement, the case shall be deemed ceased under the Criminal Procedure Code.

If the offender fails to consent to the settlement, or upon consent thereto, fails to pay the fine within the time specified under paragraph two, legal proceedings shall be continued.

Section 90. In the case where a Weights and Measure Inspector is the arrester of the accused person of the offence which could be settled by way of payment under this Act, and the accused person consents to the settlement, if the accused person or a person having interest therein so requests, the Director-General or person entrusted by the Director-General, or the *Changwat* Governor, or person entrusted by the *Changwat* Governor, as the case may be, may temporarily release the accused person while waiting for the settlement or the payment, whether with or without bail. In this connection, the provisions of the Criminal Procedure Code shall apply *mutatis mutandis*.

Section 91. In the case where the inquiry official finds any person committing an offence which could be settled by way of payment under this Act, and such person consents to the settlement, the inquiry official shall send the matter to the Director-General or the person entrusted by the Director-General, or the *Changwat* Governor or person entrusted by the *Changwat* Governor, as the case may be, within seven days from the date of the consent thereof, and section 90 shall apply *mutatis mutandis*.

TRANSITORY PROVISION

Section 92. All Ministerial Regulations, Notifications, rules, and orders issued by virtue of the repealed law under section 3 of this Act shall remain in force as long as they are not contrary to or inconsistent with the provisions of this Act, until the Ministerial Regulations, notifications, rules, or orders under this Act comes into force.

Section 93. All Measurement Gauges certified under Measurement Act, B.E. 2466 shall be deemed certified under this Act.

All *Atchayabat* issued under Measurement Act, B.E. 2466 shall be deemed business certificates under this Act.

Section 94. Any entrepreneur operating measurement business under section 17 on the date this Act comes into force shall, if he or she wishes to continue to operate such business, notify the business operation under section 17 within ninety days from the date this Act comes into force. Upon such notification of business operation, such person shall be deemed to be granted a business certificate under this Act.

Countersigned by
Chuan Leekpai
Prime Minister

Office of the Council of State

RATE OF FEES

(1)	business certificate		
	(a) manufacture	weighing machine	per certificate 20,000 baht
		volume measuring tool	per certificate 20,000 baht
		measurer	per certificate 20,000 baht
	(b) import	weighing machine	per certificate 20,000 baht
		volume measuring tool	per certificate 20,000 baht
		measurer	per certificate 20,000 baht
	(c) sale	weighing machine	per certificate 3,000 baht
		volume measuring tool	per certificate 3,000 baht
		measurer	per certificate 3,000 baht
	(d) repair	weighing machine	per certificate 10,000 baht
		volume measuring tool	per certificate 10,000 baht
		measurer	per certificate 10,000 baht
	(e) measuring service		per certificate 3,000 baht
	(f) volume measuring service		per certificate 3,000 baht
	(g) measuring service		per certificate 3,000 baht
(2)	business operation		
	(a) manufacturing	weighing machine	per year 10,000 baht
		volume measuring tool	per year 10,000 baht
		measurer	per year 10,000 baht
	(a) import	weighing machine	per year 10,000 baht
		volume measuring tool	per year 10,000 baht
		measurer	per year 10,000 baht
	(a) repair	weighing machine	per year 5,000 baht
		volume measuring tool	per year 5,000 baht
		measurer	per year 5,000 baht
	(e) measuring service		per year 3,000 baht
	(f) volume measuring service		per year 3,000 baht
	(g) measuring service		per year 3,000 baht

- (3) permit for the manufacturer or repairer
to be an examiner and certifier per year 50,000 baht
- (4) extension of permit is equal to issuing fee
- (5) business certificate substitution each 1,000 baht
- (6) permit substitution each 1,000 baht
- (7) inspection and primary certification
- Weighing machine
- (a) weighing machine
- displaying weight not more than 100 kilogrammes each 500 baht
- displaying weight more than 100 kilogrammes
 but not more than 1,000 kilogrammes each 1,000 baht
- displaying weight more than 1,00 kilogrammes
 but not more than 10,000 kilogrammes each 5,000 baht
- displaying weight more than 10,000 kilogrammes
 but not more than 50,000 kilogrammes each 10,000 baht
- displaying weight more than 50,000 kilogrammes each 20,000 baht
- (b) pendulum and knob weight
- not more than 10 kilogrammes of weight each 100 baht
- more than 10 kilogrammes of weight each 200 baht
- volume measuring tool
- displaying volume not more than 100 litres each 500 baht
- displaying volume more than 100 litres
 but not more than 1,000 litres each 1,000 baht
- displaying volume more than 1,000 litres
 shall be required to pay 1,000 baht for the first 1,000 litres, 500 baht per litres
for the next 1,000 litres, fragment of 1,000 litres shall be calculated as 1,000 litres, but the
total shall not exceed 10,000 baht
- Measurer
- (a) length measurer
- displaying length not more than 10 metres each 100 baht
- displaying length more than 10 metres each 500 baht
- (b) volume measurer each 20,000 baht
- (c) other measurer each 20,000 baht
- (8) examination and secondary certification: fifty percent of the fee under (7)
- (9) examination for certification, but no certification is issued
- (a) examination for primary certification fifty percent of the fee under (7)
- (b) examination for secondary certification fifty percent of the fee under (8)

(10) the use of tools or equipment in the examination for certification of measurement gauge outside the office not more than the fee under (7)

(11) accuracy examination of the measurement gauge

weighing machine

(a) weighing machine

displaying weight not more than 100 kilogrammes each 3,000 baht

displaying weight more than 100 kilogrammes
but not more than 1,000 kilogrammes each 5,000 baht

displaying weight more than 1,000 kilogrammes
but not more than 10,000 kilogrammes each 10,000 baht

displaying weight more than 10,000 kilogrammes
but not more than 50,000 kilogrammes each 20,000 baht

displaying weight more than 50,000 kilogrammes each 40,000 baht

(b) pendulum and knob weight

not more than 1 kilogramme of weight each 3,000 baht

more than 1 kilogramme

but not more than 20 kilogrammes of weight

each 4,000 baht

more than 20 kilogrammes of weight each 5,000 baht

volume measuring tool

displaying volume not more than 5 litre each 3,000 baht

displaying volume more than 5 litre
but not more than 20 litre each 4,000 baht

displaying volume more than 20 litre
but not more than 100 litre each 5,000 baht

displaying volume more than 100 litre each 10,000 baht

Measurer

(a) length measurer

displaying length not more than 10 metre each 3,000 baht

displaying length more than 10 metre each 5,000 baht

(b) volume measurer each 40,000 baht

(c) other measurer each 40,000 baht

MEASUREMENT ACCOUNT UNDER SECTION 9

a. measurement in metric system

(1) base unit of length shall be metre, which is the length of the length of the path travelled by light in vacuum during a time interval of $1 / 299,792,458$ of a second

The quantity of length shall be as follows:

name	rate	symbol
Kilometre	equal to one thousand metres	km.
Hectometre	equal to one hundred metres	hm.
decametre	equal to ten metres	dcm.
metre	equal to one metre	m.
decimetre	equal to one tenth of a metre	dm.
centimetre	equal to one hundredth of a metre	cm.
millimetre	equal to one thousandth of a metre	mm.
micrometre	equal to one millionth of a metre	mcm.

(2) unit of area shall be square metre, which is an area of a square having width and length one metre each

the quantity of area shall be as follows:

name	rate	symbol
squarekilometre	equal to one million square metres	km. ²
squarehectometre	equal to ten thousand square metres	hm. ²
squaredecametre	equal to one hundred square metres	dcm. ²
squaremetre	equal to one square metre	m. ²
squaredecimetre	equal to one hundredth of a square metre	dm. ²
squarecentimetre	equal to one thousandth of a square metre	cm. ²
squaremillimetre	equal to one millionth of a square metre	mm. ²

(3) unit of volume shall be cubic metre, which is a volume of a cubic having width, length, and height one metre each

The quantity of cubic shall be as follows:

name	rate	symbol
cubickilometre	equal to one billion cubic metres	km. ³
cubichectometre	equal to one million cubic metres	hm. ³

cubicdecametre	equal to one thousand cubic metres	dc ^{m.3}
cubicmetre	equal to one cubic metre	m. ³
cubicdecimetre	equal to one thousandth of a cubic metre	dm. ³
cubiccentimetre	equal to one millionth of a cubic metre	cm. ³
cubicmillimetre	equal to one billionth of a cubic metre	mm. ³

(4) unit of capacity shall be litre, which is a volume of a kilogramme of pure water at the temperature of 4 degree Celsius under normal pressure.

The quantity of capacity shall be as follows:

name	rate	symbol
Kilolitre	equal to one thousand litres	kl.
Hectolitre	equal to one hundred litres	hl.
decalitre	equal to ten litres	dcl.
litre	equal to one litre	l.
decilitre	equal to one tenth of a litre	dl.
centilitre	equal to one hundredth of a litre	cl.
millilitre	equals to one thousandth of a litre	ml.

For the purpose of the indication of volume, one litre shall be deemed one cubic decimetre.

(5) base unit of mass shall be kilogramme, which is the mass of the international primary prototype of the kilogramme.

The quantity of mass shall be as follows:

name	rate	symbol
metrictonne	equal to one thousand kilogrammes	t.
metric quintal	equal to one thousand kilogrammes	cwt.
kilogramme	equal to one kilogramme	kg.
Hectogramme	equal to one tenth of a kilogramme	hg.
decagramme	equal to one hundredth of a kilogramme	dcg.
gramme	equal to one thousandth of a kilogramme	g.
decigramme	equal to ten thousandth of a kilogramme	dg.
centigramme	equal to one hundred thousandth of a kilogramme	cg.
milligramme	equal to one millionth of a kilogramme	mg.
microgramme	equal to one billionth of a kilogramme	mcg.

For the purpose of the indication of weight, unit quantity of mass of a thing shall be unit quantity of weight of such thing.

(6) base unit of time shall be second, which is 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) base unit of electric current shall be ampere, which is the constant current which, if maintained in two straight parallel conductors of infinite length, of negligible circular cross-section, and placed 1 metre apart in vacuum, would produce between these conductors a force equal to 2×10^{-7} newton per metre of length.

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

kelvin unit shall be used for the indication of temperature range, or the difference of the temperature as well.

In any activity, degree Celsius may be used.

temperature in Celsius shall equals thermodynamic temperature minus 273.15

(9) base unit of the amount of substance shall be Mole, which is the amount of substance of a system which contains as many elementary entities as there are atoms in 0.012 kilogram 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) base unit of luminous intensity shall be candela, which is the luminous intensity, in a given direction, of a source that emits monochromatic radiation of frequency 540×10^{12} hertz and that has a radiant intensity in that direction of $1/683$ watt per steradian.

(b) measurement in the traditional system which is converted to metric system.

(1) unit of length

name	rate	symbol
<i>sen</i>	equal to forty metres	sn.
<i>wa</i>	equal to two metres	w.
<i>sok</i>	equal to one second of a metre	sk.
<i>khueb</i>	equal to one fourth of a metre	kh.

(2) unit of area

name	rate	symbol
<i>rai</i>	equal to one thousand six hundred square metres	r.
<i>ngan</i>	equal to four hundred square metres	ng.
<i>squarewa</i>	equal to four square metres	w2.

(3) unit of capacity

name	rate	symbol
<i>kweanluang</i>	equal to two thousand litres	kw.
<i>banluang</i>	equal to one thousand litres	b.
<i>sadluang</i>	equal to twenty litres	s.
<i>thananluang</i>	equal to one litre	th.

(4) unit of weight

name	rate	symbol
<i>habluang</i>	equal to two thousand litres	h.
<i>changluang</i>	equal to one thousand litres	ch.
<i>karatluang</i>	equal to one metric carat or twenty centigrammes	kr.

karatluang shall apply only to jewels

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