

(Garuda)

**Regulation of Department of Internal Trade
on Principles and procedures of returning weighing and measuring instrument to
owner or processor for bringing it into conformity with the law**

B.E. 2559

Whereas Department of Internal Trade issued Regulation of Department of Internal Trade on Principles and procedures of returning weighing and measuring instrument to owner or processor for bringing it into conformity with the law, dated 2 November B.E. 2552 (2009) for systematically returning weighing and measuring instrument to owner or processor with the purpose to bring it into conformity with the law, and for convenience of owner or processor submitted returning request, thereby.

It is appropriate to amend the regulation to be up to date. By virtue of Section 6(5) under the Weights and Measures Act B.E. 2542, and Section 57 paragraph 3 under the Weights and Measures Act B.E. 2542 with the Amendment (No.3) B.E. 2557 therefore, Director General of Department of Internal Trade hereby issues the Order as follows.

Clause 1 This Regulation shall be called the “Regulation of Department of Internal Trade on Principles and procedures of returning weighing and measuring instrument to owner or processor for bringing it into conformity with the law B.E. 2559”

Clause 2 This Regulation shall come into force on the day following the published date in the Government Gazette.

Clause 3 Repealing Regulation of Department of Internal Trade on Principles and procedures of returning weighing and measuring instrument to owner or processor for bringing it into conformity with the law, dated 2 November B.E. 2552 (2009),

Clause 4 In this Regulation;

“Weighing and Measuring Instrument” means Weighing and Measuring Instrument be seized by Weights and Measures Inspector under Weights and Measure Act. B.E. 2542 with the Amendment (No.3) B.E. 2557, which considered to be able to bring into conformity with the law, except Spring Scale.

Clause 5 The following officers are the authorized officers making decision of returning the Weighing and Measuring Instruments

(1) Director General or representative responsible for Weighing and Measuring Instrument be seized in Bangkok, Nonthaburi, Pathumthani ,and Samut Prakan area.

(2) Director of Regional Verification Center or Head of Weights and Measures Branch Bureau responsible for Weighing and Measuring Instrument be seized in the area besides the area mentioned in (1)

Clause 6 Owner or processor of Weighing and Measuring Instrument request for returning the Weighing and Measuring Instrument shall submit the Application Form in this annex, attached with required documentation in Clause 7 to the competent officer at the following authority agency, within ninety day as of the seized date of the Instruments.

(1) Case of Weighing and Measuring seized in Bangkok, Nonthaburi, Prathum Thani, and Samut Prakarn area, the owner or processor of the instrument shall submit the application at Central Bureau of Weights and Measures, Department of Internal Trade, Ministry of Commerce

(2) Case of Weighing and Measuring seized in area other than prescribed in Clause 1, the owner or processor of the instrument shall submit the application at the local Verification Center or Weights and Measures Branch Bureau, Department of Internal Trade, Ministry of Commerce

Owner or processor of seized Weighing and Measuring Instrument might designate other person to submit the Application in order to request returning the instrument.

Clause 7 Request of returning the instruments shall require the attached documentation as follows.

- (1) a copy of Identification Card or a copy of house registration, if submitted in person
- (2) a copy of juristic person certificate issued within six months as of the submitted date of application, which indicates objective(s), director(s)'s name list, location of the office, if submitted in juristic person.
- (3) a copy of proof of being owner or processor of Weighing and Measuring Instrument requested for returning
- (4) a copy of seizing documents
- (5) Case of imported weighing and measuring instruments, the original copy and a copy, with signature guarantee the correctness of the following documents shall be submitted: Tax Invoice, Bill of Lading, Receipt, Value Added Tax, Letter of Credit (L/C)
- (6) Letter of Authority, if submitted by representative

Clause 8 The competent officer who has received the application form attached with required documentation in Clause 7 shall check for correction and completion. In case where the application and required documentation are correct and complete, competent officer shall receive for further consideration.

In case where the application form or required documentation is still incomplete, the competent officer shall request for correction and resubmission by the applicant within specific in Clause 6 prior to receive for further consideration, otherwise the said application shall be disposed of.

In case where the application form or required documentation received under paragraph 1 and paragraph 2 is correct and complete, the competent officer shall further present primary observation to the authorized officer in returning the instrument within fifteen days as of the receiving date of correct and complete application.

Clause 9 the authorized officer making decision of returning the instrument under Clause 5 shall notify the result of the decision and reason of allowing or not allowing to return the instruments, in writing, within seven working days as of the decision making date.

After notice the decision of allowing, the owner or processor of the instrument shall come to bring the instrument back from the competent officer at the submitted office, within fifteen days as of the notification date.

Clause 10 After receiving the instrument returned from the competent officer under Clause 9, the owner or processor shall bring the instrument into conformity with the law, and submit application requesting verification to the competent officer at Central Bureau of Weights and Measures or Weights and Measures Branch Bureau, where the instrument was taken back, within thirty days as of the receiving date.

In case where the application cannot be submitted within period under paragraph 1, the owner or processor of the instrument may request Director-General or his representative to extend time period prior the end of the period.

Clause 11 The competent officer receiving the application shall make the list or registration every time of returning the instruments back to the owner or processor.

Clause 12 Director-General of Department of Internal Trade shall be the person in charge of this regulation

Given on the 7th Day of June B.E. 2559

Signature

(Miss Wiboonlasa Ruamraksa)

Director General

Department of Internal Trade