

# Updates of the implementing the Basel Convention and current issues

DEPARTMENT OF INDUSTRIAL WORKS  
and  
POLLUTION CONTROL DEPARTMENT  
THAILAND

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## Outlines

- ❏ Implementing scheme in Thailand
- ❏ Amounts of export and import
- ❏ Illegal traffic
- ❏ Difficulties
- ❏ Challenges



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## Implementing Scheme



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## Thailand participation to the Basel Convention

- Signed in 1990
- Ratified in 1997
- Designated the implementing agencies as follows:
  - **DIW** as the Competent Authority
  - **PCD** as the Focal Point
  - **Several supportive agencies**, e.g. Customs Dept., Port Authority of Thailand, Marine Dept., Dept. of Insurance, etc.



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## Administrative & Legal Framework

- Policy on **totally ban the import of HW for final disposal purpose and restrict control the import of HW for recovery purpose**
- **National sub-committee** for implementation of the Basel Convention, under the umbrella of the pollution control committee
- **Provisions for the control/restriction of transit, import, and export of hazardous wastes according to the Hazardous Substance Act 1992**



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## Special Administrative Resolution

**Resolution of National Environmental Board  
at its meeting on 15 December 1993**

**Prohibit the importation of  
the used lead-acid batteries or its lead scraps**



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# Basel Sub-Committee

## Composition:

- Dept. of Industrial Works
- Customs Dept.
- Marine Dept.
- Port Authority of Thailand
- Dept. of Insurance
- Office of the Council State
- Dept. of Treaties and Legal Affairs
- Dept. of International Organizations
- Pollution Control Dept.

## Responsibilities:

- Determine and formulate the appropriate legal & technical measures for implementing of the Convention
- Consider and arrange the ratification to the Protocol and the Amendment of the Basel Convention
- Cooperate among the relevant gov. & private agencies to implement the Basel Convention



# Legal system

## Transboundary Movement

- **Hazardous Substances Act B.E. 2535 (1992)**
  - Defining the general permitting criteria for possession, production, import & export of Hazardous Substances
  - Defining the list of hazardous substances including Basel Wastes (List A/Annex VIII and its amendment such as bituminous, plastic coated cable)
  - Defining the specific permitting criteria for the importation of HW
- **Ministry of Commerce**
  - Notification of Ministry of Commerce on Import of Goods (No. 112), 1996, defining plastic scraps to be the controlled good. The import of such good shall be permitted by DIW
  - Notification of Ministry of Commerce on Import of Used Car Tires, 2003, defining used car tires to be the prohibited goods
- **Ministry of Finance**
  - Notification of Customs Dept. No. 14/2546 and Code of Practice on the Import of Hazardous Wastes and the Inspection of Hazardous Substance Type III



# Legal system

## Hazardous Waste Management

- **Factory Act B.E. 2535 (1992)**
  - Notification of MOI No. 6 B.E. 2540 (1997): Defining the control of industrial wastes within the country
- **Public Health Act, 1992**
  - Ministerial Regulation on Disposal of Infectious Wastes, 2002
  - Household HW
- **Environmental Act, 1992**
  - Notification of MoNRE concerning the Effluent or Emission Standards for Pollution Point Sources



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# Control System

## Permission Procedure

- The Import and export of hazardous wastes and special wastes (i.e. plastic wastes) are required the permission from Department of Industrial Works in accordance with the national law and the Basel Convention
- Perform the waste sample & its analytical compositions and the condition of waste container/packaging
- Report the work plan for the importation of hazardous waste on the yearly basis
- Notify/declare the necessary documents before importation not less than 15 days

**Notification/  
Apply the Permit**

**Waste Samples  
Waste Compositions  
Waste Conditions**

**Yearly plan for  
importation/shipment**



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# Control System (con't)

## Illegal Traffic/Investigation

False declaration/  
unclaimed goods

Inform agent/  
consignee

Set up  
investigation team

Investigation

Legal actions

- Discrepancy in document (false declaration) or unclaimed goods (> 2 months)
- Inform shipping agent/ consignee in 15 days
- Set up the investigation team incl. customs investigators, port officers & other agencies
- Investigate the container and other relevant evidence
- Report/Inform to DIW and PCD for further legal actions
- Enforce the shipping agent to take the illegal shipment back<sub>1</sub>



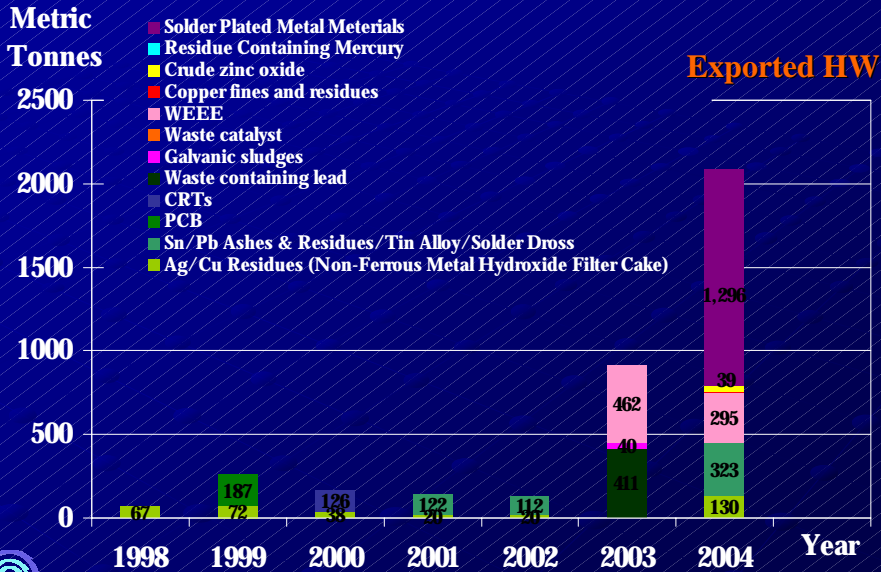
# Amount of Export and Import





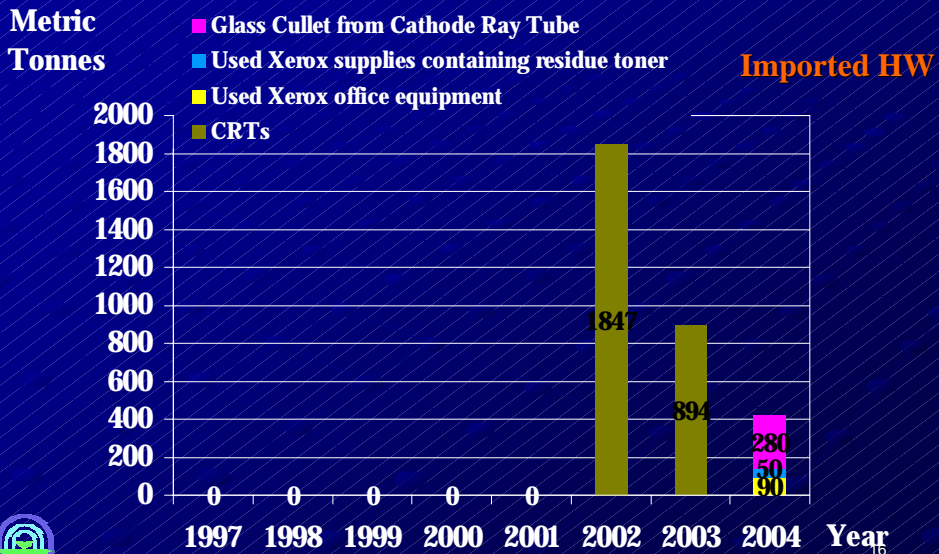


## Amount of Export and Import (con't)



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## Amount of Export and Import (con't)



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# Illegal Traffic



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Waste tyres & used car bodies including their parts & batteries



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# Plastic Scarps



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# Electronic Scarps/ Used pinball game board



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## Network cooperation

- Sharing information between permitting agencies (CA), FP, port, customs and shipping agents
- Capacity building for Customs, port official, shipping agents
  - Training on identification and investigation of HW shipments and transportation
  - Preparing the instruction manual



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## Difficulties

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# Difficulties

## In-bound

- Waste tracking system
- Household HW and E-waste management

## Out-bound

- Waste interpretation
- Used commodity trade
- Smuggling



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# Challenges

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# Challenges

- Legislation reviewing
  - The control of used electrical and electronic equipment
  - HW management, in particular Household HW and E-wastes
- Instruction manual for relevant agencies
- Liability system
- Life cycle management strategy – Eco-design, Green Products



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**Thank  
you**

One Planet



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