

UPDATING THE NATIONAL REGULATIONS AND IMPLEMENTATION OF THE BASEL CONVENTION IN THAILAND

www.pcd.go.th



The Basel Convention in Thailand

- Thailand ratified the Basel Convention on 24 November 1997 and has enforced since 22 February 1998
 - **The Competent Authority (CA)** : Department of Industrial Works (DIW), Ministry of Industry
 - **The Focal Point (FP)**: Pollution Control Department (PCD), Ministry of Natural Resources and Environment
 - **Supporting Agencies**: - Custom Department, Ministry of Finance
 - Marine Department, Ministry of Transport
 - Port Authority of Thailand
 - Department of Treaties and Legal Affairs, Department of International Organizations, Ministry of Foreign Affairs, etc .



**POLICIES / REGULATIONS IN
MANAGEMENT
AND EXPORT-IMPORT
OF HW/E-WASTES IN THAILAND**

Thailand's Policy on the Control of Transboundary Movements of HW/E-wastes

- **Ban on the import of wastes for final disposal and restriction on the import of wastes for 3Rs**
- **The Control and Restriction on Transit, Import, and Export of Hazardous Wastes according to the Hazardous Substance Act ,1992**

LEGISLATION IN THAILAND

- **Control of Transboundary Movements**
 - **The Hazardous Substance Act, B.E. 2535 (1992)**
 - **The Custom Act, B.E. 2469 (1926) and amendment**
 - **Export and Import of Goods Act, B.E. 2522 (1979)**
 - **The Enhancement and Conservation of National Environment Quality Act, B.E. 2535 (1992)**
 - **Following the procedures on the Basel Convention**
- **Control of Hazardous Waste Management within the country**
 - **Factory Act, B.E. 2535 (1992)**
 - **Public Health Act, B.E.2535 (1992)**
 - **The Enhancement and Conservation of National Environment Quality Act, B.E. 2535 (1992)**

Controlled wastes under legislation in Thailand

Control of Import and Export

- **Chemical Wastes 62 items (Notification of Ministry of Industry on List of Hazardous Substances, 2003)**
 - **Wastes according to the Convention 61 items + used oil**

Control of Import

- **Used electrical and electronic equipments 32 items and their parts or components 31 items (Notification of DIW on Criterion for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, 2007)**
- **Plastic wastes (Notification of Ministry of Commerce on the import of goods, 1996 and the Notification of Ministry of Industry on the criteria for approval of the import of the scarp and used material which is made of used plastic and unused plastic, 2008)**

Controlled wastes under legislation in Thailand (cont.)

Ban on the Import

- **Used lead acid batteries (Decision of the National Environment Board, 1993)**
- **Refuse Derived Fuel (Decision of the Subcommittee under the National Environment Board, 1994)**
- **Used tyres (Notification of Ministry of Commerce on the import of used tyres into the Kingdom of Thailand, 2003)**
- **5 types of hazardous waste (Decision of the National Environment Board, 2001)**
 - 1) **Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs)**
 - 2) **Waste glass from cathode-ray tubes and other activated glass,**

Controlled wastes under legislation in Thailand (cont.)

Ban on the Import (cont.)

- 3) **Used Lead-Acid Batteries**
- 4) **Waste Asbestos or waste containing or contaminated with any type of asbestos**
- 5) **Wastes that contain, consist of or are contaminated with any congener of polychlorinated dibenzo-furan or polychlorinated dibenzo-dioxin**

Ban on the Import, Production and Possession

- **Dry cell containing mercury and cadmium
(The Hazardous Substance Act, 1992)**

WEEE Management Legislation

1) National Integrated WEEE Management Strategy (2007-2011)

- **Problems still exist after implementation of the 1st WEEE Strategy**
 - **Lack of law enforcement (No specific WEEE law)**
 - **Lack of public awareness and knowledge**
 - **Mishandling/improper recycling of WEEE in informal sectors**
 - **Lack of collection system**

WEEE Management Legislation (Cont.)

2) National Integrated WEEE Management Strategy (2014-2021) (approved by the cabinet on March 17, 2015)

1. Strengthening of import/export control

2. Promotion of eco-friendly e-products with the focus on public procurement

3. Development of WEEE database

4. Development of WEEE segregation, collection, storage and transport for local government

5. Upgrade of dismantling and recycling facility

6. Promotion of public awareness on WEEE

- Preventive measures
- Implementation of Extended Producer Responsibility (EPR)
- Use of economic instruments in the WEEE management
- Prepare all stakeholders for WEEE law

WEEE Management Legislation (Cont.)

- **2013 - present:** Draft Act on "*the Management of Waste Electrical and Electronic Equipment and Other End-of-Life Products B.E...*" (**EPR concept**) [Regulated by Ministry of Natural Resources and Environment] → **ongoing**

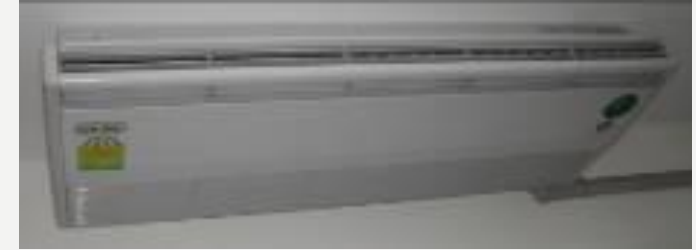
Proposed Types of WEEE to be Regulated



1. Desktop & Laptop



**2. Mobile phone
/Land line**



3. Air Conditioners



4. Television



5. Refrigerator

**6. Other types of
Electrics and electronic
equipments which will
be specified in Minister
Regulation**

CURRENT ACTIVITIES IN IMPLEMENTING OF THE BASEL CONVENTION

- **Organizing a workshop on the strengthening of the implementation of the Basel Convention for control the imported/exported hazardous wastes.**
- **Defining and considering the control measure for the imported/exported wastes collected from household.**

CURRENT ACTIVITIES IN IMPLEMENTING OF THE BASEL CONVENTION (CONT.)

- **The Pollution Control Department in cooperation with the Department of Industrial Works and Customs Department has established the Customs Tariff and Statistics Code for wastes in accordance with the Notification of Ministry of Industry: List of hazardous substance B.E. 2538 and its amendment. The Statistics Codes "899" is identified for hazardous waste under the Basel Convention and has entered into force since the 1st of October 2014.**
- **The handbook for the Customs Tariff and the specific Statistics Code for wastes covering 451 Statistics Codes has also been developed this year (2015)**

KEY FEATURES

- 1 Roles of Thai Customs
- 2 Mission and Vision
- 3 Thailand's Customs Enforcement Criteria
- 4 Corporation for Protection
- 5 Enhancing Control and Supervision
- 6 Thai Customs Electronic system for import & export
- 7 Punishment
- 8 Thai Customs' Performance

Customs Rules

Facilitation

Provide simple, predictable, and efficient Customs procedures

Control

Ensure compliance with national laws and international agreements

Introduction

Roles of Thai Customs Department

Vision:

“World – Class Customs for National Competitiveness and Social Protection.”

Mission:

1. To provide modern, expeditious, and global standard Customs service.
2. To promote economic development and national competitiveness by implementing Customs-related measures.
3. To enhance efficiency in Customs control, targeting at social protection.
4. To collect revenue in an efficient, fair and transparent manner.

THAILAND'S CUSTOMS ENFORCEMENT CRITERION

Customs Role of Enforcement

- **Responsible at The Border : Both of Importation and Exportation**
- **By any means:**
 - **Sea**
 - **Air**
 - **Land Transportation**
 - **Mails**
 - **or Electronically mean**



Corporation for Prevention of illegal

Transboundary Movement Of Hazardous Wastes

**Thai Customs
Department**



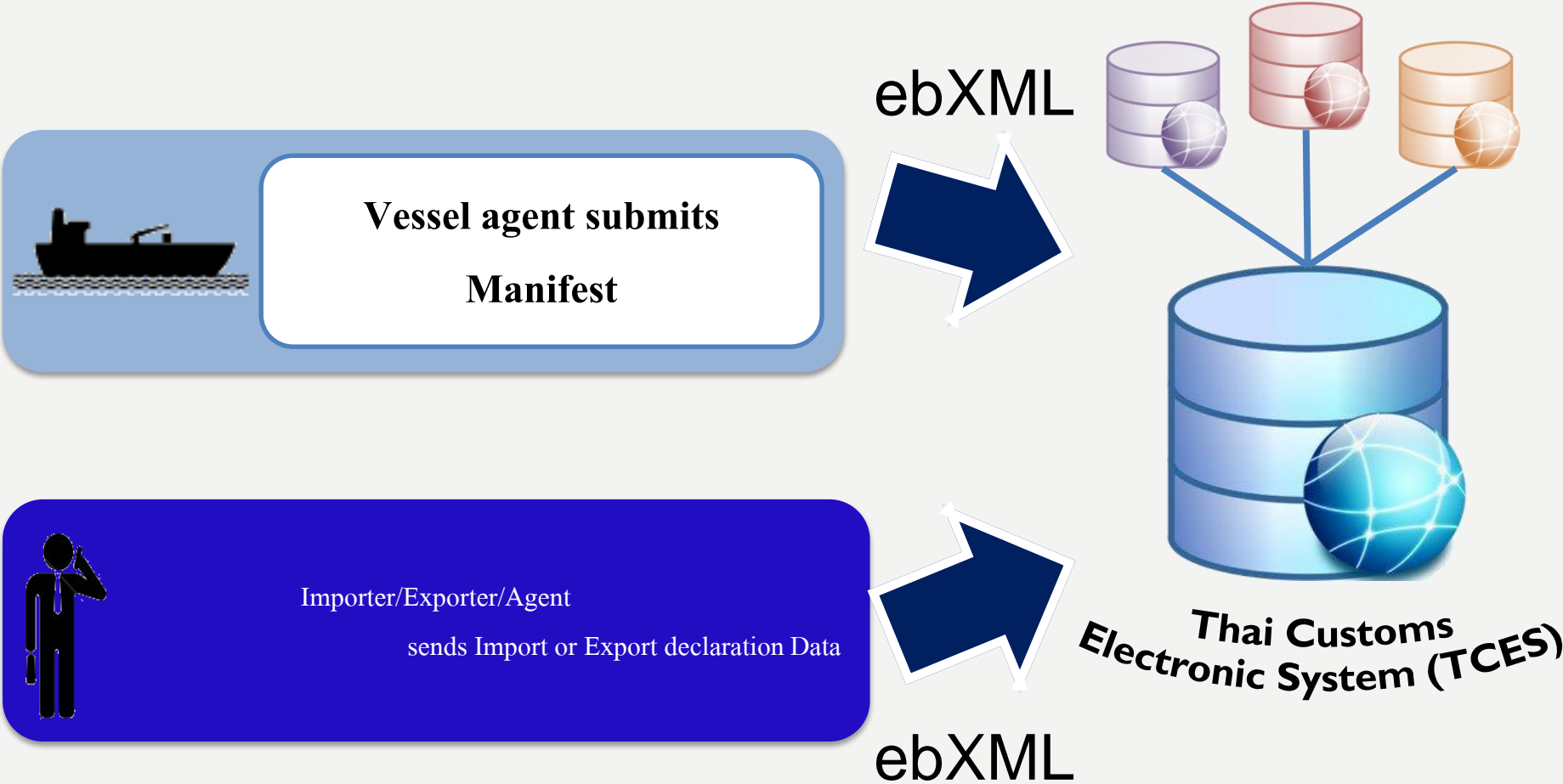
**Pollution Control
Department
Industrial Works
Department**

ENHANCING CONTROL AND SUPERVISION

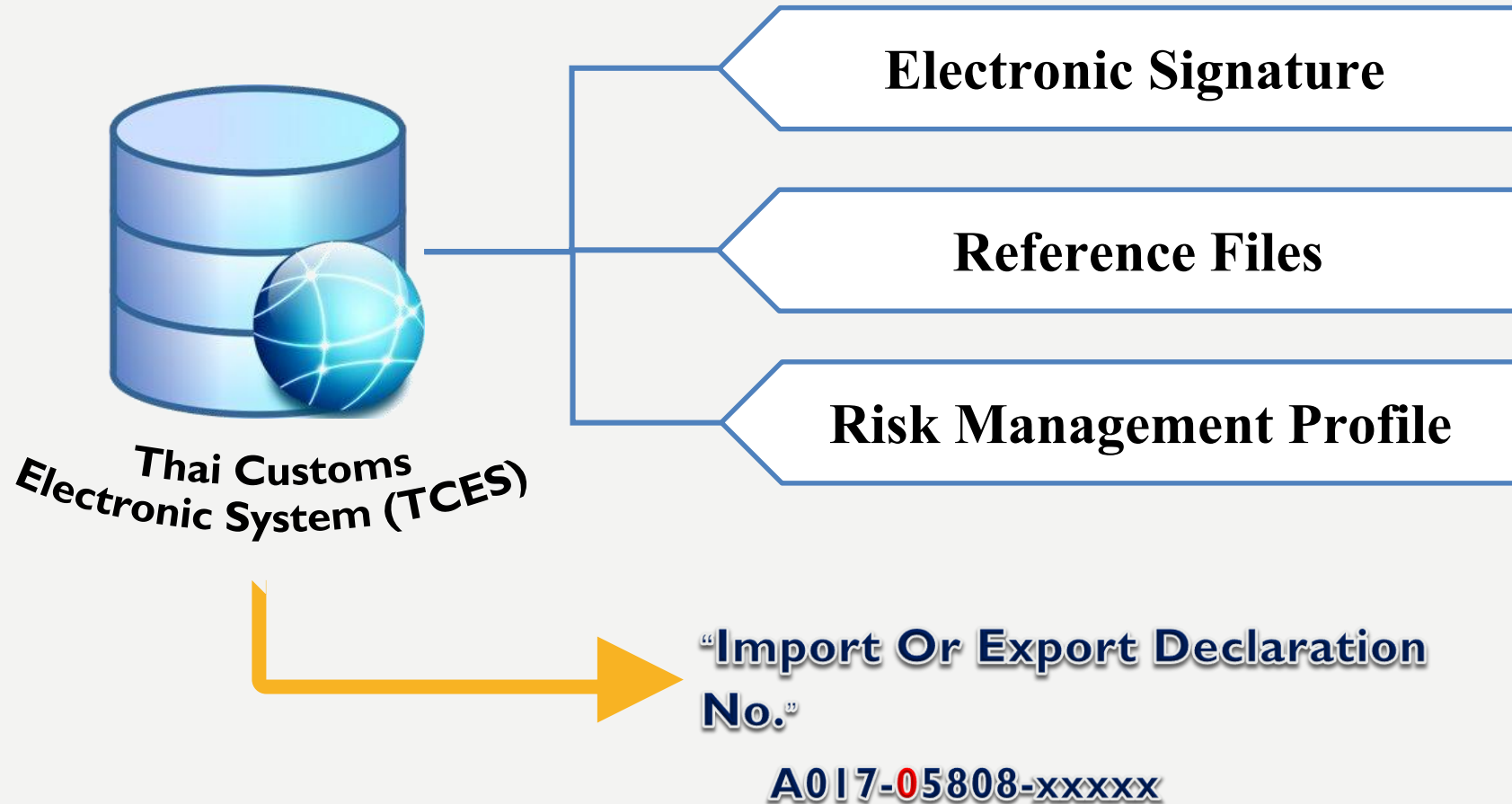


**Thai Customs Electronic system
for
import & export**

IMPORT & EXPORT CUSTOMS PROCEDURE



IMPORT & EXPORT CUSTOMS PROCEDURE



Risk Assessment

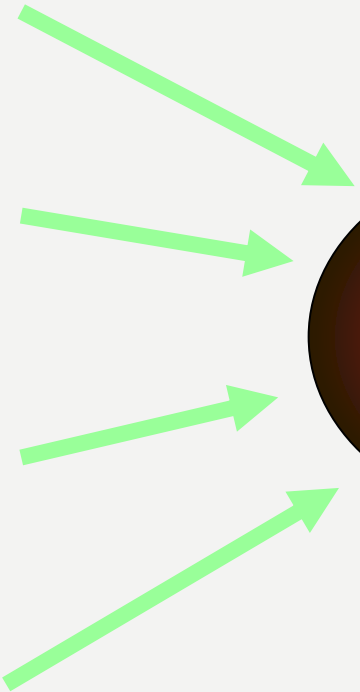
Open Sources

Document

Radio

TV

Website



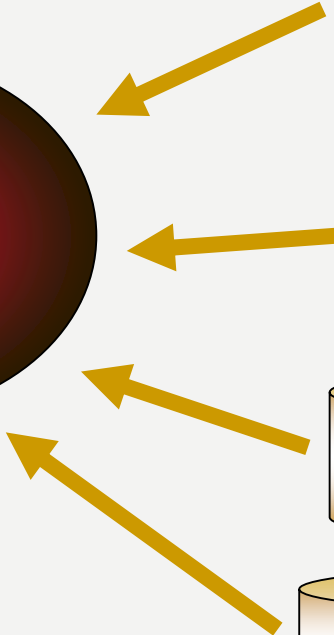
Intelligence

CEN

Industrial Works
Department

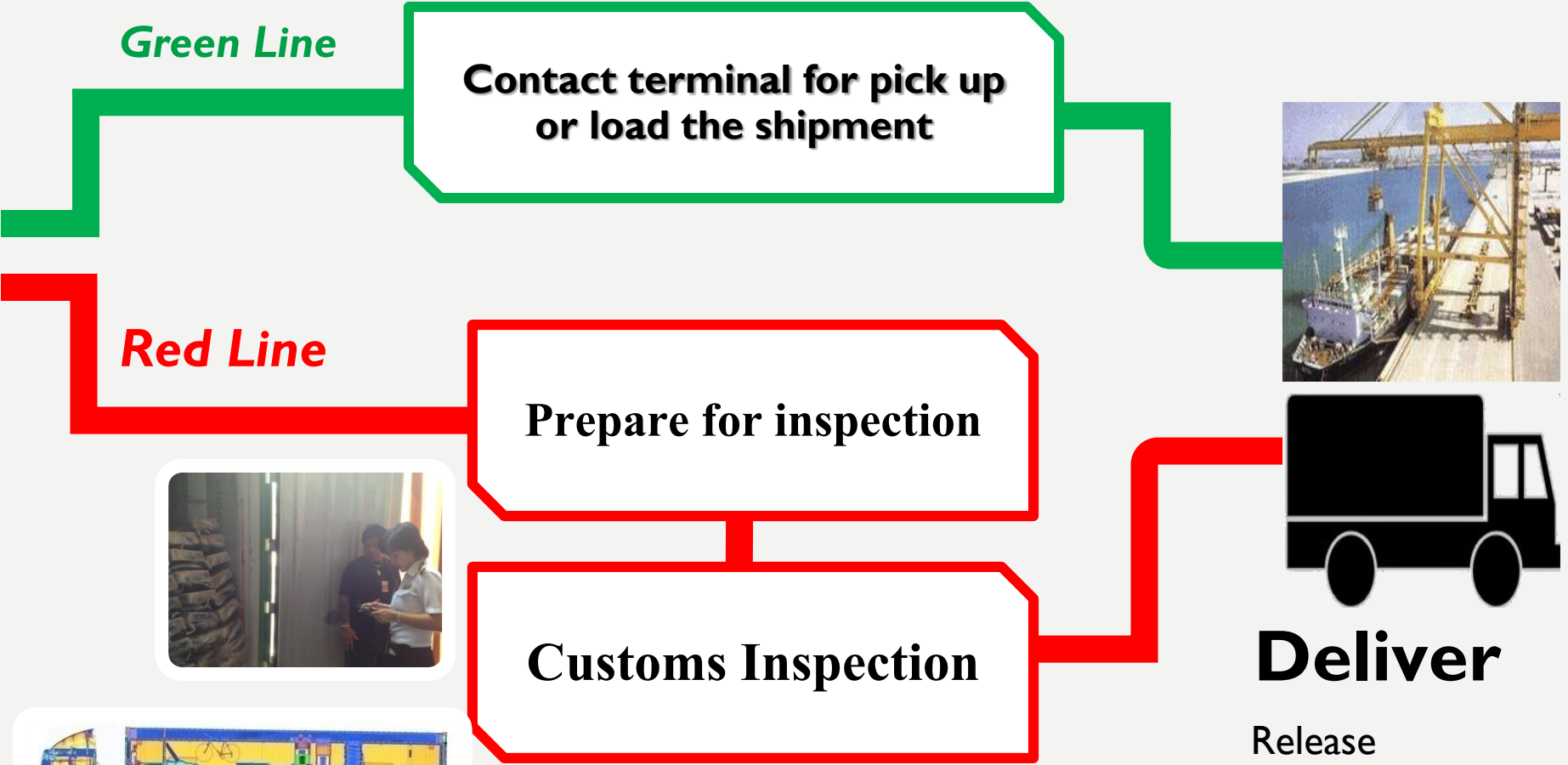
Pollution Control
Department

Regional Customs

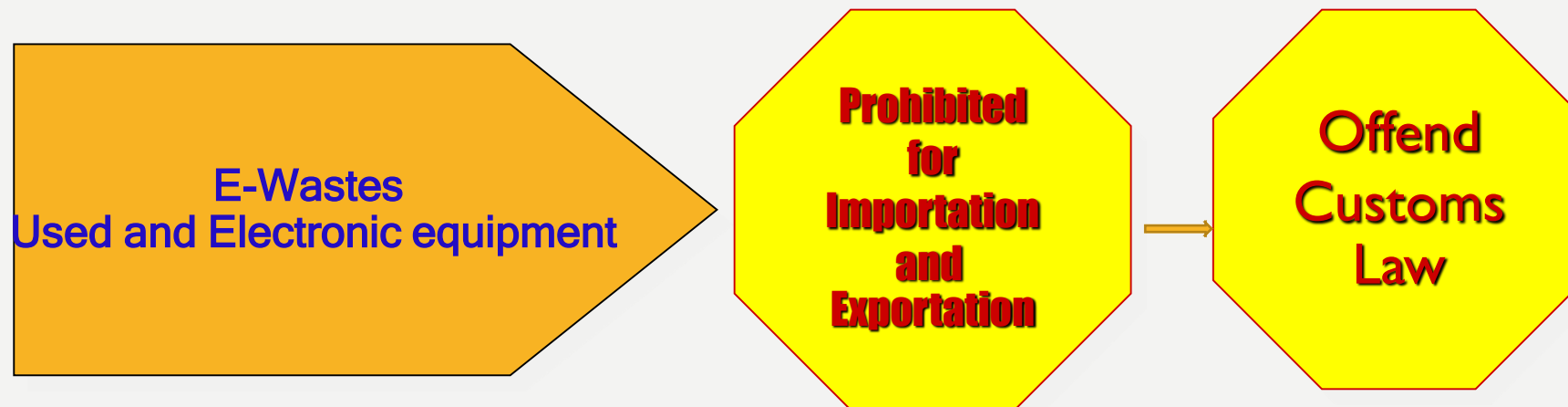


Import & Export Customs Procedure

INSPECTION ORDER



1. Customs Act B.E. 2469 (1979) (Ministry of Finance)
2. Export and Import of Goods Act B.E. 2558 (2015) (Ministry of Commerce)
- Transit , Transshipment
3. Hazardous Substances Act B.E. 2535 (1991) (Ministry of Industry)
4. Basel Convention (E-Wastes , Used and Electronic equipment)



Punishment

In case of smuggling

Director General may waive prosecution if offender agree to pay fine 2 times of the price of goods plus duty and 1 time of value added tax and give the seized goods to be property of the kingdom.

In case of evasion

Director General may waive prosecution if offender agree to pay fine 1 times of the price of goods plus duty and 1 time of value added tax and give the seized goods to be property of the kingdom.

Maximum Punishment

Ten years imprisonment and/or fine 4 times of the price of goods plus duty and seize goods to be property of the kingdom

Thai Customs' s Performance



Thai Customs



Thank You !

THANK YOU

www.pcd.go.th

