

# Updates of National Regulations and Implementation Status of the Basel Convention in Thailand

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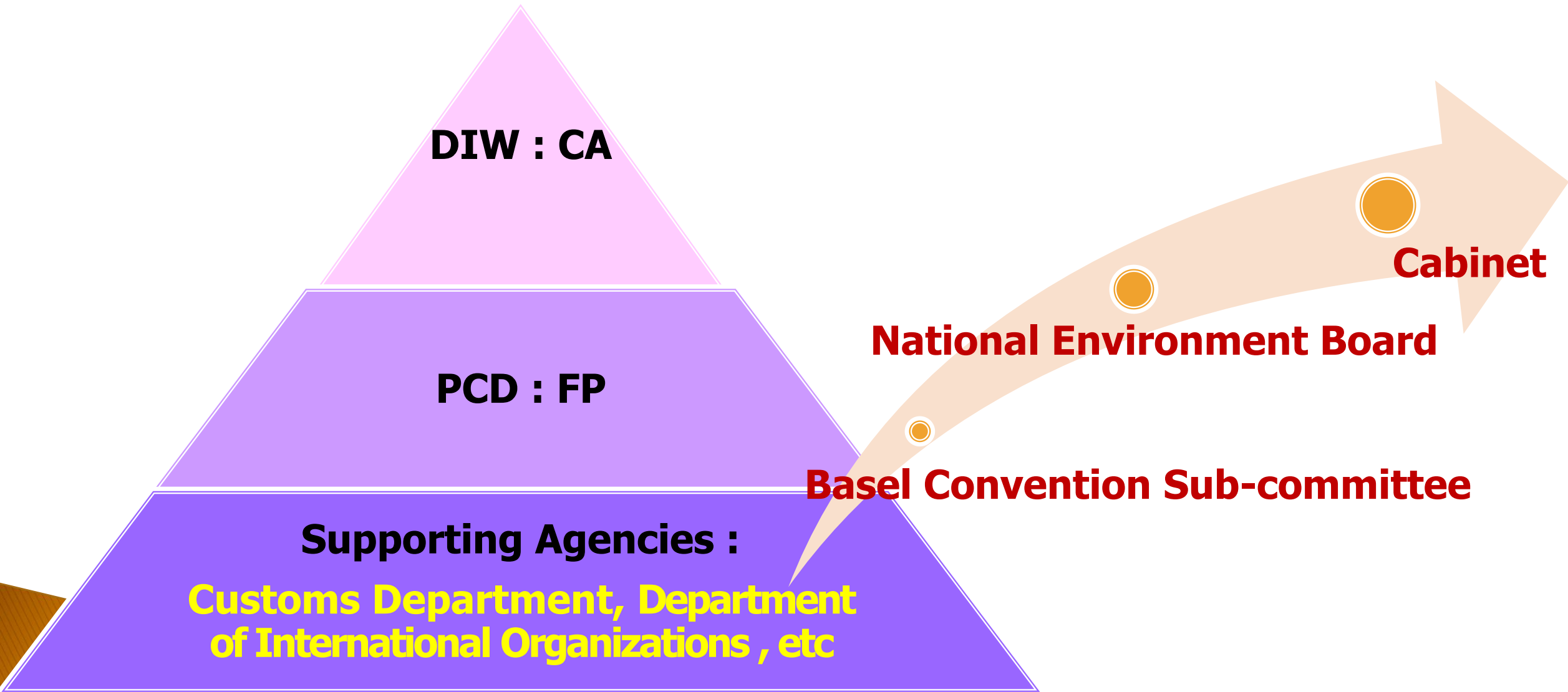


# The Basel Convention in Thailand

- 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.



# Mechanism for joint operations of the Basel Convention 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 Import, Transit, and Export of Hazardous Wastes according to Thailand's regulation**

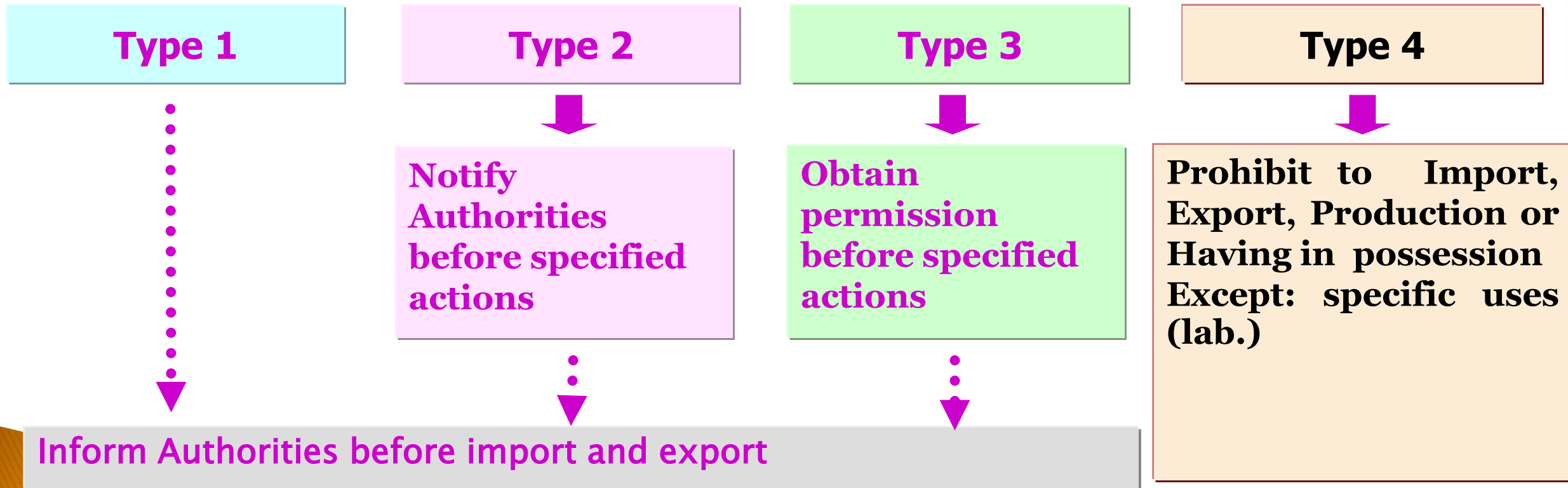
# National Legislation to control the import/export of hazardous waste and other wastes

## Main National Legislation

- **Hazardous Substance Act B.E. 2535 (1992)**
- **Customs Act B.E. 2469 (1926)**
- **Export and Import of Goods Act No. 2 B.E. 2558 (2015) (amendment)**  
[Export and Import of Goods Act B.E. 2522 (1979)]
- **The Navigation in Thai Waters Act, B.E.2456 (1913)**
- **The Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992)**

# Hazardous Substance Act B.E. 2535 (1992)

## Classification of Hazardous Substances/Wastes into 4 types



Note: Import mean to bring or order into the Kingdom or to transit

# Hazardous Substance Act B.E. 2535 (1992) (cont'd)

- **Notification of Ministry of Industry (MoI) on the List of Hazardous Substance B.E. 2546 (2003)**

- **Category of Chemical Waste**

- : 61 items of Hazardous Waste in Annex VIII, list A of the *Basel Convention*

- : 1 item (as Used lubricant oil)

- : 1 item (as Dry cell batteries (Hg & Cd) (**banned**))

Type 3

Type 4

- **Category of Used Electrical and Electronic Equipment (EEE)**

- : 32 items of Used EEE

- : 31 items of its parts

Type 3

# Legislation relating to imports of other wastes

## ▶ Plastic scraps

- Prohibit unclean and unsorted plastic scraps
- Allow cleaned plastic scraps which length is less than 2 cm except plastic used as raw material in polyester factories and electronic and electrical factories.
  - **Notification of DIW on Permit Criteria for Importation of Plastic Scrap, 19 Feb. 2008**

## ▶ Used car tires

- Prohibit used car tires, except import for research, car racing etc.
  - **Notification of Ministry of Commerce on Import of Used Car Tires, 16 Aug. 2013**

## ▶ Used acid-lead batteries

- Prohibit used acid-lead batteries (whole and parts)
  - **Decision of the National Environment Board, the 2<sup>nd</sup>-2554, 4 May 2011**



## **New or amended laws/regulations**

- ▶ **Export and Import of Goods Act, No. 2, B.E. 2558 (2015), 10 September 2015**
  - **Amendment of Export and Import of Goods Act B.E. 2522 (1979)**
  - **Addition of definition of “transit” and the relevant issues**
- ▶ **Hazardous Substance Act, No..., B.E....**
  - **Amendment of Hazardous Substance Act, B.E 2535 (1992)**
  - **Addition of definition of “transit”, “re-import”, “re-export” and the relevant issues**
  - **In the process of consideration of the Office of the Council of State**

## **New or amended laws/regulations (cont'd)**

- ▶ **Draft Act on the Management of WEEE, B.E. ....**
  - **Specific law on WEEE management based on Extended Producer Responsibility (EPR) principles**
  - **In the process of consideration of the cabinet which submitted by the Office of the Council of State**
- ▶ **Draft Notification of Ministry of Commerce on Import of Municipal Waste, B.E..., defining Municipal Waste to be prohibited goods**
  - **Prohibition the unclassified and mixed municipal waste (HS-CODE: 3825.10.00 municipal waste)**

## **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.**
  - **Draft Notification of Ministry of Commerce on Import of Municipal Waste, B.E..., defining Municipal Waste to be the prohibited goods**

## **Current activities in implementing of the Basel Convention (cont'd)**

- **Preparing to publish the handbook for the Customs Tariff and the specific Statistics Code for wastes covering 451 Statistics Codes**
- **Preparing to arrange a workshop on the knowledge about the Customs Tariff and the specific Statistics Code for wastes**

# Implementation of E-Waste Guidelines

- ▶ Not yet established guidelines for the distinction between waste and non-waste
- ▶ Status of implementation of the E-waste Guidelines
  - Q1 : Difficulties
    - Low awareness of importers/exporters
    - Lack of technical capacity of relevant persons
  - Q2 : paragraph 31 (a) of the guidelines
    - Declaration that none of the UEEE within the shipment is defined as or considered to be waste in any of countries involved in transport.
      - Reason : - The importers declare the UEEE according to their objective.
      - The custom officers randomly check the shipment or the suspicious cases.

# Thank you

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