

Part III: Chapter 1 - Annexes

Annex 1

(Unofficial translation)

Buddhist Calendar Year 2554 (2011)

Prakas (Proclamation) of the Ministry of Commerce

Objective: The importation of corn for the production of animal feed supply from the Kingdom of Cambodia under the Regional Free Trade Agreement.

To facilitate smooth importation of corn for the production of animal feed from the Kingdom of Cambodia for the Buddhist Calendar Year 2554, in accordance with the Regional Free Trade Agreement, which is beneficial to the country's economy, and to comply with the condition set by special procedures on fee determination for the importation of corn serving as the raw material for the production of animal feed supplies.

In accordance with the right, set in Article 5, Article 6 and Article 25 of the Royal Degree on the Exportation and Importation of Goods for the Buddhist Calendar Year 2522 (2009) to the Kingdom [of Thailand], which is legally binding and containing regulations related to the right determination and freedom of the individual, stipulated in Article 29 with Article 32, Article 33, Article 33, Article 41 and Article 43 of Thailand's Constitution, is in accordance with the right set in its legal regulations. With the approval from the Council of Ministers, the Minister of Commerce has issued the Prakas as follows:

Article 1: This Prakas, labelled as "Prakas (declaration) of the Ministry of Commerce, with its objective of Imports of corn for the production of animal feed supply, from the Kingdom of Cambodia under the Regional Free Trade Agreement for the Buddhist Calendar Year 2554".

Article 2: This Prakas comes into force on 1 March in Buddhist Calendar Year 2554.

Article 3: Corn, which serves as raw material for the production of animal feed supply, with the import tariff of 1005.90.90, originated from ASEAN in accordance with Agreements under the Regional Free Trade Areas, is a product that shall be certified by authorized government agencies and presented to customs for importation to the Kingdom in order to enjoy special preferential tariff treatment. Requirements are:

- (1) Certificate of Origin Form D, issued by authorized government agencies of the Exporting Country;
- (2) Letter on the Right of Acceptance or Exclusive of Preferential Tariff or part of it, issued by Foreign Trade Department or government agencies, authorized by the Ministry of Commerce;
- (3) Certificates of Origin or other evidence, issued by authorized government agencies of exporting country, which certify that the goods imported into the Kingdom are safe for lives or health of humans, animals or plants.

Goods importation with an FOB value of less than US\$ 200, is not necessarily required to present the Certificate of Origin (1) to the customs for such importation.

Article 4: Goods importation with the preferential tariff, as stated in Article 3, shall conform to the conditions below:

- (1) Shall be imported between 1 March and 30 June of Buddhist Calendar Year 2554 by presenting the Certificate of Origin as in Article 3(1)-(3).
- (2) Shall be imported through the Customs Post, which requires plants inspection and animals inspection, or be inspected by the authorized authorities.

Article 5: The request and the issuance of documentation as stated in Article 3(2) shall comply with the principle and conditions set by the Director-General of the International Trade Department.

Article 6: The fee of special application for corn importation, which is used for inputs of animal feed as stated in Article 3, into the Kingdom shall be set at the rate of zero baht for one ton.

Declared on 22 February of the Buddhist Calendar Year 2554

Signature

Annex 2

(Unofficial translation)

(Logo)

**Statement of the Department of Foreign Trade
on the standards, methods and conditions for requesting and issuing certificates of
full or partial exemption from taxes regarding corn used as cooked feed for
animals and imported into the Kingdom of Thailand
according to the framework of the ASEAN Free Trade Agreement
2011**

Following the Statement of the Ministry of Commerce, related to the importation of corn used as cooked feed for animals into the Kingdom of Thailand according to the framework of the ASEAN Free Trade Agreement of 2011, that the corn used as animal cooked feed originating and imported from member countries of the Association of Southeast Asian Nations according to the ASEAN Free Trade Agreements, are products that have to be offered a certificate of full or partial exemption from taxes, issued by the Ministry of Foreign Affairs or by other State authorities authorized by the Minister of Commerce. The certificate has to be presented to the Customs Department for importation of corn into the Kingdom in order to take advantage of the special rights on taxes and customs.

In order to comply with the content of Article 5 of the statement of the Ministry of Commerce on the importation of corn used as cooked feed for animals into the Kingdom according to the framework of the ASEAN Free Trade agreement of 2011 as well as the advice of the Council of Ministers dated 16 November 2010 approving the setting up of the 2011 policy and measures for corn imported for animal feed, and the advice of the 1st Food Policy Committee of 2010 on 11 November 2011, the Director-General of the Department of Foreign Trade hereby issues the statement on the Standard, Methods and Conditions for requesting and issuing the aforementioned certificates as follows:

Article 1 of this statement

“Certificates” refers to certificates to enjoy rights to the full or partial exemption of taxes according to the framework of the ASEAN Free Trade Agreement.

Article 2. Persons who have the right to request certificates for the importation of corn used as cooked animal feed into the Kingdom must possess the following attributes:

- (1) Must be persons who have been registered as importers of corn used as cooked feed for animals with the Department of Foreign Trade; and
- (2) Must not be persons who disobey or who transgress any dispositions of this statement.

Article 3. The application for registration to be an importer of corn used as cooked feed for animals according to the conditions related to the condition of being the persons who have the right to request the certificates referred to in Article 2(1) must comply with the standards, methods and conditions fixed in the list annexed to this statement.

Article 4. Persons who have the right to request the certificates, as referred to in Article 2, shall submit their requests for certificates to the Department of Foreign Trade according to the procedures determined by the Ministry of Commerce together with the following supporting documents:

- (1) Copy of invoice;
- (2) Copy of Bill of Lading ; or Air Waybill or other supporting documents for the shipping of the goods;
- (3) Copy of Certificate of Product Origin (Form D) issued by state authorities or authorities authorized by agencies that have the competence to issue the said certificates of the exporting States.

Article 5. The Department of Foreign Trade will issue certificates for the importation of corn used as cooked feed for animals between 3 March 2011 and 10 June 2011, according to the quantities requested.

Article 6. The certificates issued are valid for a period of one month from the issuing date and cannot exceed 30 June 2011.

Article 7. Persons who have been offered certificates shall report the importation, use, the retail [sale] and the remaining quantity to the Department of Foreign Trade in accordance with the procedures fixed by the Department of Foreign Trade as well as copies of supporting documents for the import of goods that have been certified as a true by custom officers within one month from the date of the import, the date of use or the date of retail for each specified case.

Any beneficiaries of such certificates who do not report the import, the use, the retail or the remaining quantity during the period stipulated in the first paragraph of this article will be regarded as having lost their registration according to this present statement, and the Department of Foreign Trade will cease the issuance of certificates for subsequent imports to these persons until the reporting has been properly carried out.

These articles are valid from 1 March 2011.

Made on 28 February 2011

(Signature)

(Mr. Maknas Sroylory)

**Director-General of the Department of Foreign
Trade**
