

REGULATION OF THE MINISTRY OF COMMERCE
Governing Import Licensing for Used Motorcycles into the Kingdom
(No. 1)
B.E. 2539 (1996)

Whereas, the Notification of the Ministry of Commerce Re: Import of Goods into the Kingdom (No. 113) B.E. 2539 (1996) determined the import of used motorcycles of customs tariff heading 87.11 into the Kingdom to be subject to licensing requirements.

In order to ensure proper consideration and licensing for import of used motorcycles into the Kingdom, the Ministry of Commerce hereby issues this Regulation, as follows:

Clause 1 This Regulation shall be called the “Regulation of the Ministry of Commerce Governing Import Licensing for Used Motorcycles into the Kingdom (No. 1) B.E. 2539 (1996).”

Clause 2 This Regulation shall come into force as of now.

Clause 3 The Ministry of Commerce shall grant a license to import any used motorcycles into the Kingdom in the events and subject to the rules, as follows:

3.1 Import for Personal Use

(1) The import license applicant who is a Thai national must have been staying abroad for a consecutive period exceeding 1 year and 6 months before returning to stay in Thailand. In case of a foreigner, he/she must be staying in Thailand for at least 1 year, and holding written permission to enter the Kingdom by the Immigration Bureau, Royal Thai Police Department, and a valid work permit issued by the Ministry of Labor and Social Welfare. If an importer is a dependent of a Thai spouse, a proof of spousal relationship must be produced.

(2) The applicant must own or occupy the motorcycle while staying abroad for at least 1 year and 6 months from the registration date of change of ownership thereof until the date of return to stay in Thailand.

(3) The applicant must hold a valid driving license for motorcycle in the country where such motorcycle was used or an international driving license for motorcycle to demonstrate that such motorcycle has been used while owning or occupying such motorcycle abroad for at least 1 year and 6 months.

(4) A proof of residency in Thailand must be presented.

(5) An import license shall be granted only for 1 motorcycle per person.

3.2 Import with Tax Exemption or Compensation

(1) The importer must be a government agency, state enterprise, international private institute, international assistance project management office, foreign specialist or official.

(2) A certification letter of the tax exemption or compensation by the Department of Technical and Economic Cooperation or any relevant authority must be presented.

3.3 Import by Government Agency, State Enterprise or Public Charitable Organization

(1) The importer must be a government agency, state enterprise or public charitable organization registered under Thai law.

(2) The motorcycles must be imported for its own use or other purposes as the Ministry of Commerce deems appropriate.

3.4 Temporary Import

(1) A temporary import license shall be valid for a period not exceeding 1 year, unless necessary, in which case, it may be extended for another one year.

(2) The import license holder must execute a guarantee agreement for re-export, and have a commercial bank issue a letter of guarantee in an amount equal to four times the C.I.F. Bangkok price in favor of the Department of Foreign Trade in the form as prescribed by the Department of Foreign Trade.

(3) Upon completion of the time limit for re-export of the motorcycles, the license holder shall report, together with evidence of such re-export, to the Department of Foreign Trade in the form as prescribed by the Department of Foreign Trade within 45 days from the date of such re-export.

3.5 Import for Immediate Re-export out of the Kingdom

(1) An import license shall be granted only to those importing the used motorcycles into the Kingdom without the knowledge that such items are subject to import licensing requirements, and intending to immediately re-export them out of the Kingdom.

(2) The motorcycles so licensed to import must be re-exported out of the Kingdom immediately upon completion of the customs formality.

3.6 Import for Use as Prototype for Manufacture or Research and Study

(1) The importer must be a factory for motorcycle manufacture or assembly or engage in other businesses as the Ministry of Commerce deems appropriate.

(2) An import license shall be granted only to no more than one motorcycle per each model, unless otherwise endorsed by the Ministry of Commerce.

Clause 4 The rules and procedures for submission of the application for a license shall be as prescribed by the Department of Foreign Trade.

Clause 5 All regulations, notifications, requirements and any other orders which have been addressed by this Regulation or which are in conflict with or contrary to this Regulation, shall be superseded by this Regulation.

Clause 6 The Director-General of the Department of Foreign Trade shall have charge and control of the execution of this Regulation.

Notified on the 22nd day of May B.E. 2539 (1996).

Chucheep Hansawat
Minister of Commerce

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