

**NATIONAL STANDARDIZATION ACT**  
**B.E. 2551 (2008)**  
**BHUMIBOL ADULYADEJ, REX.**  
**Given on the 23rd Day of February B.E. 2551;**  
**Being the 63rd Year of the Present Reign.**

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:

Whereas it is expedient to have a law on national standardization;

This Act contains certain provisions relating to the restriction of rights and liberties of the people, in respect of which Section 29 in conjunction with Section 33, Section 41, Section 43 and Section 45 of the Constitution of the Kingdom of Thailand so permit by virtue of law;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Assembly, as follows:

**Section 1.** This Act is called the "National Standardization Act, B.E. 2511"

**Section 2.** This Act shall come into force as from the day following the date of its publication in the Government Gazette.

**Section 3.** In this Act:

"**Standard**" means any one or several specifications concerning the following:

- (1) products, methods of manufacture, production processes, components, structures, dimensions, sizes, types, shapes, weight, efficiency, performances, durability, or purity of the products;
- (2) packages, packaging, marking or labeling;
- (3) methods, processes, properties, efficiency or performance as related to services;
- (4) management system or administrative system regarding quality, hygiene, occupational health, environment, safety or other systems;
- (5) definitions, guidelines, recommendations, measurement units, testing, calibration, experiment, analysis, research, inspection, certification, and assessment concerning (1), (2), (3) and (4) or others as related to standardization;

"**Standardization**" means the process used for carrying out all the work relating to the development of standards, conformity assessment, and metrology;

"**Conformity Assessment**" means the process used to provide testing, calibration, inspection, or certification services in order to attest that the products, services,

processes, management or administration system, personnel, organizations, or other activities comply with the requirements of the stipulated standard;

**"Conformity Assessment Body"** means a person or an agency that provides inspection and certification services;

**"Licensee"** means a Conformity Assessment Body which is granted a Licence and which must exhibit a compulsory standard mark under this Act;

**"Certified Body"** means a Conformity Assessment Body which receives a certificate and holds the right to exhibit a voluntary standard mark under this Act;

**"Supplier"** means manufacturer, seller, importer, and exporter of product, or service provider, who receives conformity assessment service from a Conformity Assessment Body;

**"Licensor"** means the Secretary-General or any person appointed by the Secretary-General;

**"The Council"** means the National Standardization Council;

**"Agency in charge"** means a government agency assigned by the Council to be in charge of standardization;

**"The Institute"** means the Thai Industrial Standards Institute;

**"Secretary-General"** means the Secretary-General of the Thai Industrial Standards Institute;

**"Competent Official"** means a person appointed by the Minister for the execution of this Act;

**"The Minister"** means the Minister having charge and control of the execution of this Act.

**Section 4.** This Act shall not be enforced upon the following:

- (1) a Conformity Assessment Body that is a government agency;
- (2) a standardization on any matter already prescribed by a specific law;

Government agencies under (1) that require using or showing the mark under section 45 are permitted to do so upon permission by the Licensor according to the criteria, methods, and terms and conditions determined by the Council.

**Section 5.** The Minister of the Industry Ministry shall be in charge according to this Act and shall have the power to appoint Competent Officials and issue Ministerial Regulations prescribing fees not exceeding the rate of fees attached hereto and the exemption from the fees, and to prescribe other matters for the execution of this Act.

Such Ministerial Regulations shall come into force upon their publication in the Government Gazette.

## Chapter 1 The National Standardization Council

**Section 6.** There shall be a National Standardization Council, called for short "NSC" ["Ko Mo Cho."], consisting of the Prime Minister, or a Deputy Prime Minister assigned by the Prime Minister, as the chairman of the Council; the Minister of the Industry Ministry, as Vice Chairman of the Council; Permanent Secretary of the Ministry of Tourism and Sports, Permanent Secretary of the Ministry of Agriculture and Cooperatives, Permanent Secretary of the Ministry of Commerce, Permanent Secretary of the Ministry of Science and Technology, Permanent Secretary of the Ministry of Public Health, Permanent Secretary of the Ministry of Industry, President of the Council of Engineers or representative, Chairman of the Board of Trade of Thailand or representative, Chairman of the Federation of Thai Industries or representative, Chairman of the Thailand Tourism Industry or representative, and not more than seven experts in standardization appointed by the Council of Ministers as members; and the Secretary General as member and secretary.

The Secretary-General shall appoint no more than two government officials in the Institute as the Assistant Secretary of the Council.

The expert member of the Council must have specialized knowledge and experiences relating to standardization and the number of experts from the private sector shall be no less than half of the number of all the appointed experts.

**Section 7.** The Council shall have the powers and duties as follows:

- (1) To lay down policies and strategies in the promotion, development and implementation of the standardization work of the country;
- (2) To lay down policies or promote co-operations or agreements between agencies, both domestic and foreign agencies in charge of standardization so as to foster mutual acceptance regarding standardization;
- (3) To determine the criteria, methods, and terms and conditions for advertising by the Conformity Assessment Bodies and the Suppliers;
- (4) To consider the appeal to the Licensor's order under this Act;
- (5) To determine the compulsory standards mark for the Licensees and the voluntary standard mark for the Certified Bodies under this Act;
- (6) To carry out other matters as prescribed under this Act or other acts to be within the Council's authority and power;

**Section 8.** An expert member of the Council shall have the qualifications and shall not be under any prohibition as follows:

- (1) being of Thai nationality;
- (2) being not less than twenty five years of age;
- (3) not being bankrupt;
- (4) not being an incompetent or quasi-incompetent person;
- (5) never having been sentenced by a judgement to imprisonment except for an offence committed through negligence or a petty offence;
- (6) not being or having ever been a holder of political position, political party executive, advisor or official of any political party, throughout the period of one year preceding the date of appointment.

**Section 9.** An expert member of the Council shall hold office for a term of three years.

Not less than sixty-day preceding the expiry of the term in office of an expert member of the Council, a new expert member of the Council shall be appointed to replace the expert member who vacates office at the end of his or her term. The outgoing expert member may be re-appointed but must not hold office for longer than two consecutive terms.

In case where an expert member of the Council is appointed, whether he is appointed in addition to the existing positions or appointed to replace a member, during the unexpired term of an outgoing expert member, the appointed expert member shall be in office for the duration of the unexpired term of the outgoing expert member.

**Section 10.** Apart from vacating office at the end of term, an expert member shall vacate office upon:

- (1) death;
- (2) resignation;
- (3) being removed by resolution of the Council of Ministers on the ground of misconduct, faulty act or dishonesty in the performance of duties, or inefficiency;
- (4) being disqualified under section 8.

When an expert member vacates office and no one is appointed to replace him, the remaining expert members shall carry on with their duties.

**Section 11.** When an expert member completes his term in office and no new expert member is appointed yet, the outgoing expert member shall continue to perform his duties until he shall be replaced.

**Section 12.** At a meeting of the Council, the presence of not less than one-half of the total number of the Council members shall constitute a quorum.

At a meeting of the Council, the chairman of the Council shall preside over the meeting. If the chairman is not present at a meeting, the vice chairman shall preside over the meeting in his place.

If the chairman and the vice chairman are not present at a meeting or are unable to perform their duties, the members present shall elect one among themselves to preside over the meeting.

The decision of the meeting shall be made by a majority of votes. Each member has one vote. The person who presides over the meeting shall cast no vote, except in case of equality of votes when he or she shall have a casting vote.

**Section 13.** There shall be one or several Committees on Standardization which shall be appointed by the Council as appropriate, with the following duties and powers:

- (1) to announce the determination, amendment and revocation of standards relating to the conformity assessment;
- (2) to determine measures for the solution and prevention of problems that might hinder the national competitiveness relating to standardization or rules and regulations or academic information on standardization of other countries;
- (3) to announce the determination on the rate of service fees and exemption of service fees for inspection or assessment to the conformity assessment agency or announce the determination on the rate of service fees for inspection and for issuing certificate to the Suppliers;
- (4) to report on the result of the implementation to the Council according to the criteria, methods, and conditions prescribed by the Council;
- (5) to carry out any other matter under this Act or as assigned by the Council;

The announcements pursuant to the provisions in (1) or (3) shall be in force upon the date of publication in the Government Gazette.

Each Committee shall comprise not less than nine members and not more than fifteen members.

A Committee member under paragraph one shall have expertise in standardization in connection with a particular field that he is appointed for. Each Committee shall include Committee members from the private sector.

The provisions of section 8, section 9, section 10, and section 11 shall apply to the Committees *mutatis mutandis*.

The provisions of Section 12 shall apply to the meetings of the Committees *mutatis mutandis*.

**Section 14.** The Council and the Committees are empowered to appoint Sub-committees to consider matters or to execute any function as assigned by the Council or the Committees.

The provisions of Section 12 shall apply to the meetings of the Sub-committee *mutatis mutandis*.

**Section 15.** The Council, the Committee, and the Sub-committee are empowered to summon any relevant person to give statement or submit relevant document or materials for consideration.

**Section 16.** The Council, the Committee, and the Sub-committee members shall receive compensation as prescribed in the regulations issued by the Minister with the consent of the Ministry of Finance.

In the inspection by a Competent Official in order to bring the result into consideration for the issuing of a Licence under section 18 or a certificate under section 28 or an inspection or assessment under section 33 (1), the Competent Official shall receive compensations as prescribed in the regulations issued by the Minister with the consent of the Ministry of Finance.

**Section 17.** The Institute shall act as the secretariat of the Council and be in charge of the general administrative works, meeting procedural works, studies and researches for information, and other functions related to the works of the Council, the Committees, and the Sub-committees.

## **Chapter 2**

### **The Conformity Assessment Body**

**Section 18.** To prevent damage that might result from the operation of a Conformity Assessment Body which would affect the economy, society, hygiene, safety or the environment, the Committee may announce the determination of a Conformity Assessment in any particular field requiring the Conformity Assessment Body to acquire a License and to display the Compulsory Standards Mark in that field.

After the Committee's announcement under paragraph one, the Conformity Assessment Body shall be prohibited from operating the conformity assessment in the field, unless it has been inspected by the Competent Officials and received a Licence from the Licensor.

The Licensee shall display the compulsory standards mark in the specific field that he receives the Licence.

The application for a Licence, the inspection, and the issuing of Licence under paragraph two shall follow the criteria, methods and conditions as prescribed by the Council.

**Section 19.** The Conformity Assessment Body that applies for a Licence under section 18 must have the following qualifications and must not have the following disqualifications:

- (1) being not less than twenty years of age;
- (2) not being bankrupt;
- (3) not being incompetent or quasi-incompetent;
- (4) not being a person whose Licence is suspended;
- (5) not being subjected to Licence revocation or in case of having been subjected to Licence revocation, not less than six month shall have elapsed since the date of Licence revocation.

In case where the Conformity Assessment Body applying for a Licence is a partnership or a juristic person, the managing partner, manager, or representative of the juristic person must have the qualifications and must not have the disqualifications under paragraph one and must have never been a managing partner, manager, or representative of a juristic person whose Licence was revoked under (5).

**Section 20.** The Licence under section 18 shall apply solely to the Conformity Assessment Body whose name is identified in the Licence.

The Licensee who wishes to extend the expiry term of the Licence shall submit the application for the extension of the expiry term in advance of not less than one hundred twenty days prior to the expiry date. Upon submitting the application to extend the expiry date, the Licensee is allowed to continue carrying out the inspection and assessment in the specific field under section 18 and shall be considered a Licensee until he receives the notification of the order refusing the extension of Licence from the Licensor.

The expiry term of the Licence, the extension of the expiry term of the Licence and the licensing shall conform to the criteria, methods, and conditions as prescribed by the Council.

**Section 21.** The Licence under section 18 shall expire when:

- (1) the Licensee ceases his operation;
- (2) the Licence is revoked under section 41;
- (3) the Licensee lacks the qualification or has the disqualifications under section 19;
- (4) in case where the Licensee is a partnership or a juristic person, the Licence shall expire on the date when the partnership or juristic person ceases to be.

(5) upon the announcement of the determination or revision or revocation of the standards relevant to conformity assessment in the field for which the Licensee is permitted, if the Licensee has submitted the application for a Licence in the specific field according to the new or revised standard of conformity assessment, the previous Licence shall continue to be in effect within the duration of time specified by the Council;

**Section 22.** The Licensee shall display the Licence in conspicuous and easily visible location at the business premises of the Licensee as identified in the Licence.

**Section 23.** In case where a Licence is lost or materially damaged, the Licensee shall apply for a substitute of Licence to the Licensor within thirty days as from the date of the knowledge thereof.

The application for and the granting of a Licence substitute shall comply with the criteria, methods, and conditions as prescribed by the Council.

**Section 24.** The relocation of the business premises of the Licensee identified in the Licence shall require permission from the Licensor.

The application and the permission thereof shall comply with the criteria, methods, and conditions as prescribed by the Council.

**Section 25.** The transfer of the Licence under section 18 to a person who has qualifications and does not have disqualifications under section 19 shall be allowed upon receiving the permission to transfer from the Licensor.

The application and the permission for transfer of the Licence shall comply with the criteria, methods, and conditions as prescribed by the Council.

**Section 26.** The Licensee who wants to cease operation shall submit written notice to the Licensor in advance of not less than sixty days prior to the day on which the business shall cease. Upon the cessation of business, the Licence shall be returned within thirty days since the day the business ceases operation.

**Section 27.** For the benefit of promoting Conformity Assessment, the Committee may announce the determination of a Conformity Assessment in any particular field whereby the Conformity Assessment Body may apply for a certificate that grants the right to display a voluntary standard mark in connection with that particular field.

**Section 28.** In case where the Committee has made the announcement under section 27, the Conformity Assessment Body which wishes to be a Certified Body in the field so announced must be inspected by the Competent Officials and receive a certificate from the Licensor.

The application for a certificate, the inspection and the issuing of the certificate under paragraph one shall comply with the criteria, methods, and conditions as prescribed by the Council.



**Section 29.** Section 19, section 20, section 21 (5), section 22, section 23, diction 24, section 25, and section 26 shall be applied to the Certified Body *mutatis mutandis*.

The expiry date and termination of a certificate shall be subjected to the provisions under section 20, paragraph three, and section 21 *mutatis mutandis*.

**Section 30.** In case where a government agency is already carrying out any matter in connection with standardization in any specific field, the Council shall designate the aforementioned government agency to be the Agency in charge of standardization in the specific field and to have the same duties and power as the Committee under section 13.

In case where the Council entrusted any Agency in charge with the same duties and power as the Committee under paragraph one, the power prescribed in any provision of any section in this chapter as the power of the Committee shall be considered the power of that Agency in charge.

### **Chapter 3 The Restriction**

**Section 31.** A Conformity Assessment Body is prohibited from:

- (1) making overstatement in its advertisements or claims related to its conduct of Conformity Assessment in the field that it is licensed for under section 18 or certified for under section 28;
- (2) falsely advertising or claiming to be a Licensee or a Certified Body;
- (3) having vested interests with the Suppliers.

**Section 32.** A Conformity Assessment Body shall comply with the following practices:

- (1) a Licensee or a Certified Body shall comply with the standards of conformity assessment or criteria, methods, and conditions of conformity assessment as prescribed by the Council;
- (2) in case where an advertisement is in connection with a Conformity Assessment, the criteria, methods, and conditions prescribed by the Council shall be complied with;
- (3) in case where fault or error in the Conformity Assessment result is detected, the Supplier shall be duly notified and corrective actions must be taken without delay;
- (4) the Institute or the Agency in charge, as the case may be, shall be duly notified within fifteen days after the day the fault or error was found in the result of the Conformity Assessment under (3).

**Section 33.** In the performance of his duties, a Competent Official shall have the power:

- (1) to enter the premises of a Conformity Assessment Body, a Licensee, a Certified Body, or a Supplier during the time between sunrise and sunset or during the office hours to inspect or assess the result of the operation;
- (2) to summon a Conformity Assessment Body, a Licensee, a Certified Body, a Supplier, or a relevant person, to explain, give statement, or provide evidence and relevant information and to correct the fault or error found;
- (3) to order a Conformity Assessment Body, a Licensee, a Certified Body, a Supplier, or a relevant person to stop (terminate/discontinue) any advertisement that gives reasonable ground to believe that it is a false statement or an overstatement or does not comply with the criteria, methods or conditions prescribed by the Council;
- (4) to seize or attach any product or item which bears a statement or a mark that gives reasonable ground to believe that it is a false statement or mark or an overstatement or does not comply with the criteria, methods or conditions prescribed by the Council under section 32 (1) or (2) or uses a faulty or erroneous Conformity Assessment result under section 32 (3) or is in connection with a wrongdoing.

In the performance of duties under (1), a Competent Official shall not act in such a way that can be described as search under Criminal Procedure Code.

**Section 34.** Regarding the products or things that a Competent Official seized or attached under section 33 (4), the Licensor shall have the following powers:

- (1) in case where a Conformity Assessment Body applies a statement or a mark to the seized or attached product or item and there is reasonable ground to believe that such a statement or mark is a false statement or mark or an overstatement or does not comply with the criteria, methods or conditions prescribed by the Council under section 32 (1) or (2) or uses a faulty or erroneous Conformity Assessment result under section 32 (3), the Licensor may order modification or improvement for correction or conformity with the criteria, methods or conditions prescribed by the Council under section 32 (1) or (2) or order that such a statement or mark be destroyed or removed from the seized or attached product or item. In case where the modification or improvement or the destruction or removal of the statement or mark on the seized or attached product or thing is not possible, the Licensor may order that the products or item be destroyed and the Conformity Assessment Body shall pay for the cost incurred by the modification or the improvement or the destruction, or the destruction or removal of the statement or mark of the seized or attached products or items.
- (2) in case where the owner or possessor thereof does not appear within ninety days as from the date of the seizure or attachment or if the Prosecutor issues absolute order not to file charges or the court does not order a forfeiture and the owner or possessor fails to request the return thereof within ninety days from the date of knowing of the absolute order not to file charges or the date of final judgement or the date of being notified that no charges will be filed, as the case may be, the ownership

thereof shall be vested in the state and the Licensor shall have the power to manage them in any manner whatsoever as he thinks fit.

(3) if the industrial products or things so seized or attached are perishable, or if being kept would involve risks of damage or incur expenses more than their value, the Licensor may arrange for the sale of such products or things by auction before the case is final or before they are vested in the state. The net proceeds from the sale of such products or things after deduction of expenses and all obligations shall be held in lieu of such products or things.

**Section 35.** A Competent Official shall have an identity card in the form prescribed in the announcement by the Council.

In the performance of his duties, the Competent Official must produce his identity card to relevant persons.

**Section 36.** A person who is affected by the performance of duty of a Competent Official shall provide facilities, assistance, or explanations to a Competent Official in the performance of his duties under section 33.

**Section 37.** In the execution of duties under this Act, the National Standardization Council, the Committees, the Sub-committees and the Competent Officials shall be the public officers under the Criminal Code.

**Section 38.** In case where a Conformity Assessment Body, a Licensee, or a Certified Body violates or fails to comply with this Act or the Ministerial Regulations issued under this Act or the Conformity Assessment standards or criteria, methods, or conditions as prescribed by the Council under this Act, before proceeding under section 39, section 40 or section 41, as the case may be;

The Institute or the Agency in charge may issue a written warning to a Conformity Assessment Body, a Licensee, or a Certified Body to rectify his practice within a specified time but it shall not relieve him from the liability for the offence committed under this Act.

The prescriptions on legal notification under the Administrative Procedure Act shall be applied to the written warning under paragraph one *mutatis mutandis*. The decision to issue a prior written warning under paragraph one shall be made by the Council.

**Section 39.** In case where a Licensee or a Certified Body fails to comply with the Conformity Assessment standards or the criteria, methods, or conditions prescribed by the Council in connection with any particular field, the Licensor shall have the power to order the Conformity Assessment in that particular field be restrained.

A Licensee whose Conformity Assessment in connection with any particular field is restrained by the order under paragraph one may not perform Conformity Assessment and may not display a compulsory standard mark for a Conformity Assessment in connection with that particular field.

A Certified Body whose Conformity Assessment is ordered to be restrained in connection with any particular field under paragraph one may not display a voluntary standard mark for Conformity Assessment in that field.

**Section 40.** In case where a Licensee or a Certified Body fails to comply to the written warning under section 38 within a specified time or violates or fails to comply with this Act or the Ministerial Regulations issued under this Act or the Conformity Assessment standard or the criteria, methods or conditions prescribed by the Council under this Act, the Licensor shall have the power to suspend, without having to issue any prior warning in writing, the Licence or the certificate in connection with a particular field for a period of not longer than three months in each case.

A person whose Licence has been suspended may not carry out Conformity Assessment and may not display a compulsory standard mark for Conformity Assessment during the period of suspension of the Licence or certificate in connection with that particular field.

A person whose certificate has been suspended may not display a voluntary standard mark in that particular field during the period of suspension of the certificate in connection with that particular field.

**Section 41.** The Licensor shall have the power to revoke a Licence or a certificate when it appears that:

- (1) a Licensee or a Certified Body has previously been subjected to a Licence or a certificate suspension and has committed a similar offence again within five years thereof;
- (2) a Licensee or a Certified Body has committed an offence under this Act, which causes serious damage to the economy or public interest;
- (3) a Licensee or a Certified Body has committed an offence under section 56 or section 57.

A person whose Licence or certificate, as the case may be, has been revoked under paragraph one, may not apply for a Licence or certificate for Conformity Assessment in connection with that particular field until a period of six months from the date of the knowledge of the order has elapsed.

**Section 42.** The curtailment of a Conformity Assessment in any field under section 39, the suspension of a Licence or a certificate under section 40, and the revocation of a Licence or a certificate under section 41 shall comply with the criteria, methods, and conditions prescribed by the Council.

**Section 43.** An applicant for a Licence or a Licensee or an applicant for a certificate or a Certified Body, as the case may be, has the right to appeal against the order of the Licensor under this Act to the Council within thirty days from the date of receiving the notification of the order of the Licensor.

The Council shall consider and deliberate on the appeal under paragraph one within sixty days from the date of receiving the appeal. The decision of the Council shall be final.

The appeal under paragraph one shall not be cause for mitigation in the enforcement of the order of the Licensor.

**Section 44.** The Council shall have the power to order the Institute or the agencies in charge, as the case may be, to announce the list of names of the Licensees or Certified Bodies whose Conformity Assessment in any particular field is ordered to be restrained under section 39, or suspended under section 40 or revoked under section 41; or to announce the result of the inspection or assessment under section 33 (1). The announcement thereof shall be made to the public for the benefit of consumers' protection or public protection and in accordance with the criteria, methods, and conditions prescribed by the Council.

#### **Chapter 4 The Marks**

**Section 45.** The Council shall prescribe the following marks:

- (1) the compulsory mark for a Licensee;
- (2) the voluntary mark for a Certified Body.

The characteristics, the production, the use and the display of the marks under paragraph one shall comply with the criteria, methods, and conditions prescribed by the Ministerial Regulations.

**Section 46.** No person shall use the marks under section 45 with the exception of a Licensee, a Certified Body, or a Supplier who receives Conformity Assessment from a Licensee, a Certified Body, or an authorized government agency under section 4 paragraph two, as the case may be.

#### **Chapter 5 The Liabilities**

**Section 47.** Any person who fails to give statement or submit any document or item under section 15 or fails to comply with the order of the Competent Official under section 33 (2) or (3) or fails to provide facilities, assistance, or explanations to a Competent Official under section 36 shall be liable to a fine not exceeding one hundred thousand Baht.

**Section 48.** Any Conformity Assessment Body that violates section 18 paragraph two shall be liable to a fine not exceeding one million Baht.

**Section 49.** Any Licensee who violates or fails to comply with section 18 paragraph three, section 22, section 23 paragraph one, section 24 paragraph one, or section 26 shall be liable to a fine not exceeding one hundred thousand Baht.

**Section 50.** Any Certified Body who fails to comply with section 22, section 23 paragraph one, section 24 paragraph one, or section 26 which shall be applied *mutatis mutandis* under section 29 paragraph one shall be liable to the same punishment as prescribed under section 49.

**Section 51.** Any Conformity Assessment Body that violates section 31 (2) by falsely advertising or claiming that he is a Licensee or a Certified Body shall be liable to a fine not exceeding one million Baht.

**Section 52.** Any Conformity Assessment Body that violates or fails to comply with section 31 (1) or (3) or section 32 shall be liable to a fine not exceeding one hundred thousand Baht.

**Section 53.** Any person who interferes or obstructs a Competent Official in the performance of his duties under section 33 (1) or (4) shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding four hundred thousand Baht or to both.

**Section 54.** Any Licensee or Certified Body who violate section 39 paragraph two or paragraph three or section 40 paragraph two or paragraph three shall be liable to a fine not exceeding one million Baht.

**Section 55.** Any person who imitates the marks under section 45 to deceive others into believing that they are such marks, or uses the marks in violation of section 46 shall be liable to a fine not exceeding five hundred thousand Baht.

**Section 56.** Any Conformity Assessment Body that falsifies a result of a conformity assessment or conceal the truth that should be clearly identified, in a manner that might cause damage to others shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding two million Baht or to both.

**Section 57.** Any person who gives, offers to give, or agrees to give money or assets or any other benefit to a Conformity Assessment Body to wrongfully issue a result of the conformity assessment shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding two million Baht or to both.

Any person who demands, receives or agrees to receive money or assets or any other benefit to himself or to other persons for the act under paragraph one shall be liable to the same punishment as prescribed in paragraph one.

**Section 58.** In the case where a juristic person is an offender under this Act, the representative, juristic person, executive director, and any other person who acts for a juristic person shall be deemed an offender and shall also be liable to the same punishment as that imposed on such juristic person unless he can prove that he had no part in the commission of the offence by the juristic person.

**Section 59.** The Council shall have the power and shall have the authority to assign such power to the Sub-Committee to settle a fine specifically for the liabilities under this Act which prescribe a fine only.

After an offender has paid a settled fine, the case shall be considered as close in accordance with to the Criminal Procedure Code.

#### **Transitory Provision**

**Section 60.** The Conformity Assessment Body accredited for its Conformity Assessment operations prior to the date this Act comes into effect by the National Accreditation Council established under the resolution of the Council of Ministers shall be deemed a Certified Body under this Act and the certificate of accreditation shall be deemed the certificate under this Act and may be used until its term expires.

The mark that a Conformity Assessment Body accredited by the National Accreditation Council under paragraph one has been using prior to the day this Act comes into effect and which is the certification mark that the Institute has registered under the Trademark Law shall be deemed the voluntary Standards Mark under this Act.

**Countersigned by:**  
**General Suraynt Chulanon**  
**Prime Minister**

#### **Rates of fees**

- (1) Application for Licence under section 18 is 10,000 Baht each;
- (2) Application for Certificate under section 28 is 20,000 Baht each;
- (3) Inspection for the application of Licence under section 18 is 20,000 Baht each;
- (4) Inspection for the application of Certificate under section 28 is 40,000 Baht each;
- (5) Licence under section 18 is 10,000 Baht each;
- (6) Certificate under section 28 is 10,000 Baht each;
- (7) Licence substitute under section 18 is 10,000 Baht each;
- (8) Certificate substitute under section 28 is 10,000 Baht each;
- (9) Extension of Licence under section 18 or Certificate under section 28 is half of the fees for each of the Licence or Certificate, for each extension.

**Remark:** It is necessary to enact this Act because at present the national standardization affairs are carried out by several government agencies and this state of affairs causes a lack of unity in standardization. Moreover, no law exists at present to control the Conformity Assessment Bodies, which would earn the trust from those who receives Conformity Assessments and the domestic and international consumers. It is therefore appropriate to have a National Standardization Council with the duties to lay down policies; supervise and coordinate the national standardization for unity, efficiency, and correspondence to the international trade situation; and be in charge of regulating the Conformity Assessment Bodies that provide services to Suppliers.