



## SEA Customs and Trade Alert

### Stay informed of changes

Greetings from your SEA Customs and Global Trade Services group. This newsletter is your reference for practical information on relevant customs issues. We are pleased to enclose for your information the latest Customs and Trade Alert on:

#### Publication of Thailand's Export Control Lists for Dual-use Items

Further to our last [alerts](#) on Thailand's progress towards establishment of export control on Dual-use items (DUIs), the Ministry of Commerce has issued a notification to formally announce the **Dual-use items list** and **HS-Code list**.

Effective from **January 2018**, these two lists define the goods and technology that will be subjected to Thailand's export control.

## What this means for you

Businesses that are involved in controlled activities of goods that are listed in the Dual-use items list or the HS-Code list will be required to obtain approval from the Ministry of Commerce prior to the commencement of these activities.

Failure to obtain the necessary approvals may result in a fine and imprisonment.

### Scope of Control

The scope of control outlined under the two control lists is summarised as follows:

	DUI List (“List One”)	HS Code List (“List Two”)
<b>Licensing Requirements</b>	Application for license to Ministry of Commerce <b>prior to</b> export of the controlled goods or its related technology.	Exporters of goods that are listed on the HS-Code list are required to register with Ministry of Commerce <b>and</b> self-certify that the goods to be exported are for <b>commercial use only</b> .
<b>Categorisation</b>	Items are categorised into the following ten categories: <b>0</b> – Nuclear Materials and Related Equipment <b>1</b> – Special Materials and Related Equipment <b>2</b> – Materials Processing <b>3</b> – Electronics <b>4</b> – Computers <b>5</b> – Telecommunications and “information Security” <b>6</b> – Sensors and Lasers <b>7</b> – Navigation and Avionics <b>8</b> – Marine <b>9</b> – Aerospace and Propulsion	300 product groupings, including, <b>but not limited to</b> , goods classified under the following HS Tariff Sections: <b>Section 5</b> – Mineral products <b>Section 6</b> – Products of the chemical or allied industries e.g. Chapter 28-29 <b>Section 7</b> – Plastic and rubber, and articles thereof e.g. Chapter 39 and 40 <b>Section 16</b> – Machinery and mechanical appliances; electrical equipment e.g. Chapter 84 and 85 <b>Section 17</b> – Vehicles and part thereof e.g. Chapter 87

		<b>Section 18</b> – Medical or surgical instruments and apparatus e.g. Chapter 90
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### Recommended next steps

Companies exporting from Thailand need to:

- Determine whether or not their exported products and its related technologies are caught under the published controls lists, and if so, assess how it impacts the company's business;
- Assess whether the HS Tariff Classification of their exported products from Thailand are appropriately classified;
- Review current processes and assess whether they have the appropriate processes and procedures in place to monitor outward movement of their products and its related technologies from Thailand;
- Assess whether systems enhancements need to be introduced to ensure that Dual-use items subject to export control could be flagged.

### How can we support

Deloitte can support your company in the following areas:

- Assessment on whether your company's products and its related technologies are caught under the published controls lists;
- Assess the impact of the establishment of export control on Dual-use Items, and to your company's existing procedures and processes, and advice on the necessary measures to be taken to maintain a secure supply chain;
- Review the appropriateness of the adopted HS Tariff Classification for your products;
- Preparation of supporting documents and submission of HS Tariff Classification rulings for your products;
- Provide bespoke training on Thailand export control and its impact on your business processes and procedures.

## Contacts

For more information on the above or any Customs and Global Trade matters, please contact **Stuart Simons** (Thailand) +662 676 5700, ext. 5021 or **Diyanah Anuar** (SEA Export Control team) +65 6216 3351, or your usual Customs and Global Trade Services contact in Deloitte.

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