

Thailand Updates: New Customs Act 2017

Following the approval of National Legislative Assembly Thailand (NLA) on draft Customs Act on 9 March 2017, the new Customs Act B.E. 2560 (2017) was officially announced in the National Gazette on 17 May 2017. This new act amends the Customs Act B.E. 2469 (1926).

Some of the key amendments are outlined below:

- Revision of the current bribes and rewards regime (e.g. introducing caps per case).
- Introduction of 'wilful intent' or 'negligence' to be considered for duty evasion offences.
- Limiting the period for Customs to carry out post-clearance audits to 5 years from the import or export date (to align with record retention requirements).
- Introduction of timeline (180 days) for Customs' Board of Appeal to consider appeal cases.
- Capping of duty surcharges per month at the duty shortfall amount itself;
- The duty refund period will be extended from 2 years to 3 years.
- Reduction of statutory penalties and fines for duty evasion offence to be in a range between 0.5 to 4 times of duty shortfall, imprisonment not exceeding 10 years, or both.
- Changes to licensing requirements for goods consigned into Free Zone areas as specified in the relevant Ministerial Regulation.

It is understood that there will be around 80 sub-regulations to be announced before the Act becomes effective in **mid-November 2017**. Companies are recommended to closely monitor these new changes to ensure that they comply with the new rules and procedures and at the same time consider strategies to minimise the impact of these changes on their operations where possible.

Let's talk

If you would like further advice or information in relation to the topic outlined above, please contact:

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