

(Unofficial Translation)

**Office of the Board of Investment Announcement
No. Por 6/2543**

**Criteria for Using a Bank Guarantee for Import Duties on Machinery and Raw
or Essential Materials**

With a view to clarifying the procedures governing the use of bank guarantees for import duty on machinery and raw or essential materials and to facilitating applicants and promoted persons in importing the machinery and raw or essential materials into the Kingdom for use in promoted activities, the following criteria are therefore prescribed.

By virtue of section 13 and 38 of the Investment Promotion Act B.E. 2520 amended by the Investment Promotion Act (No. 2) B.E. 2534, the Office of the Board of Investment, authorized by the Board of Investment, hereby announces as follows:

1. Revocation of Office of the Board of Investment Announcement No. 3/2540 dated 11 April 1997 on “Criteria for Using a Guarantee of Import Duty on Machinery and Raw or Essential Materials.”
2. “Guarantee” means using a bank guarantee as deposit against the payment of import duty.
3. For applicants applying for the import of machinery, raw or essential materials into the Kingdom, the OBOI will grant permission to use an import duty guarantee for a period not to exceed 1 year, starting from the date permission is granted. The BOI will only grant this permission to projects that have already accepted the terms of approval for investment promotion privileges.
4. For promoted persons applying for the import of machinery into the Kingdom during the extension of the import time frame, the OBOI will grant permission to use an import duty guarantee for a period not to exceed 1 year from the date of the granting of such permission
5. In cases where promoted persons request to import used machinery into the Kingdom without a certificate attesting to its efficiency, issued by an institution which the Board sees reliable, the OBOI will grant permission to use an import duty guarantee for a period of time deemed appropriate, and will consider granting an exemption or reduction of import duty after the machine has been installed; tested for production; and determined sufficiently efficient by the OBOI’s inspection.
6. For promoted persons applying to import raw or essential materials into the Kingdom during the application for additional benefits under section 30, the OBOI will grant permission to use an import duty guarantee for a period not to exceed 1 year from the date of the granting of such permission.

7. For promoted persons applying to import raw or essential materials into the Kingdom during the application for the extension of time schedules for using benefits under section 36(1), the OBOI will grant permission to use an import duty guarantee for a period not to exceed 1 year from the date of the granting of such permission.
8. In cases where promoted persons request to import machinery, raw or essential materials that have problems into the Kingdom and the OBOI is unable to make a final decision on the exemption or reduction of import duty, the OBOI will grant permission to use an import duty guarantee for a period of 1 year from the date of the granting of such permission.

In cases other than the aforementioned criteria and in case of requests for extension of the time frame for the use of guarantees, the OBOI will consider these requests on a case-by-case basis.

Effective from 1 September 2000 onwards.

Announced on 24 July 2000

(Staporn Kavitanon)
Secretary General
Board of Investment