

**FACILITATION OF CROSS-BORDER TRANSPORT ACT,  
B.E. 2556 (2013)**

BHMIBOL ADULYADEJ, REX.

Given on the 20<sup>th</sup> Day of March B.E. 2556;

Being the 68<sup>th</sup> 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 facilitation of cross-border transport,  
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 “Facilitation of cross-border transport Act, B.E. 2556 (2013)”.

**Section 2**<sup>1</sup> 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:

“cross-border transport” means importation into, exportation from or transit through the Kingdom, of animals, plants or other goods via the border crossing point under customs law or movement entering or exiting the Kingdom, of people, conveyance, persons in charge of conveyance and crew of conveyance through the immigration checkpoint, terminal, station or locality under the law on immigration, all of these at the frontier between the Kingdom and a foreign country;

“Agreement” means the agreement between the Thai government and a foreign government related to facilitation of cross-border transport;

“formalities” means any proceedings done by the official in the common control area under the laws related to importation, exportation, transit, regulation, control, inspection, authorization and approval of entry into, stay in, and exit from the Kingdom, of people, animals, plants, goods as well as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned.

“common control area” means common control area inside the Kingdom and common control area outside the Kingdom;

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<sup>1</sup> Publish in the Government Gazette Vol. 130, Part 30A, page 1, dated 29<sup>th</sup> March B.E. 2556 (2013)

“common control area inside the Kingdom” means an area within the Kingdom designated by the Thai government to be the area where officials execute the formalities together;

“common control area outside the Kingdom” means an area outside the Kingdom designated by the government of the contracting Party to the Agreement to be the area where officials execute the formalities together;

“relevant authority” means a Thai governmental authority competent to execute the formalities in the common control area;

“official” means a Thai government official competent to execute the formalities and a government official of the contracting Party to the Agreement who execute the formalities in the common control area;

“Minister” means the Minister having charge and control of the execution of this Act.

**Section 4** For the benefit of facilitation of cross-border transport under the Agreement, the Minister of Transport, with the approval of the Cabinet, shall have the power to issue a notification designating an area within a custom control zone, station, port or any other area suitable for formalities execution to be a common control area inside the Kingdom.

When the common control area has been designated under paragraph one and the government of the contracting Party to the Agreement has notified the Thai government of the area designated to be the common control area outside the Kingdom, the relevant authorities shall proceed in order to enable a single-stop formalities execution in the common control area.

**Section 5** The execution of formalities by an official of the Thai government in a common control area outside the Kingdom shall be deemed an execution of formalities in the Kingdom.

**Section 6** An official of the government of the contracting Party to the Agreement may execute the formalities under the law of that contracting Party in the common control area in the Kingdom. The extent of his competency to execute the formalities shall be as agreed between the Thai government and the government of the contracting Party to the Agreement for the execution of the formalities in each common control area.

The official of the government of the contracting Party to the Agreement shall be exempted from the compliance with the law on immigration for his entry into the common control area for the purpose of execution of formalities under paragraph one, pursuant to the rules, procedures and conditions specified by the Minister of Interior.

**Section 7** When performing his duties in the common control area in the Kingdom, an official of the government of the contracting Party to the Agreement shall present an

identity card issued by the government of the contracting Party to the Agreement to any person concerned.

**Section 8** The official of the government of the contracting Party to the Agreement executing the formalities in the common control area in the Kingdom shall be the competent officer under the Criminal Code.

**Section 9** An offence related to the cross-border transport committed in the common control area outside the Kingdom shall be deemed an offence committed in the Kingdom.

**Section 10** Measures in case an offence related to the cross-border transport is detected by an official in a common control area in the Kingdom shall be pursuant to the following rules and procedures;

(1) In case the offence is against Thai law, the official of the Thai government shall proceed with the case under the law;

(2) In case the offence is against the law of the contracting Party to the Agreement and there is a request from the official of the government of the contracting Party to the Agreement, the Thai official shall send the persons, animals, plants, goods as well as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned back to the contracting Party to the Agreement;

(3) In case the offence is against both Thai law and the law of the contracting Party to the Agreement, the Thai official shall proceed with the case under Thai law. Once finished, he shall report the result of the process to the official of the government of the contracting Party to the Agreement. If the official of the government of the contracting Party to the Agreement makes a request, Thai official may send the persons, animals, plants, goods as well as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned back to the contracting Party to the Agreement after the process under Thai law is completed.

**Section 11** In case an offence against Thai law related to the cross-border transport is detected by an official in a common control area outside the Kingdom, Thai official shall make a request to the official of the government of the contracting Party to the Agreement to send the persons, animals, plants, goods as well as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned back into the Kingdom for further proceedings under Thai law.

In case an offence against both Thai law and the law of the contracting Party to the Agreement related to the cross-border transport is detected by an official in a common control area outside the Kingdom, Thai official may make a request to the official of the government of the contracting Party to the Agreement to send the persons, animals, plants, goods as well

as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned back into the Kingdom for proceedings under Thai law.

**Section 12** The Minister shall have the power to issue regulations on duties execution procedures for Thai officials in the common control area related to the following matters;

(1) collective duties performance between relevant authorities for the execution of this Act;

(2) the use of any system, tools and equipment consistent with the international standard for the exchange of information for the purpose of formalities execution and process linkage between the relevant authorities;

(3) procedures related to the sending of persons, animals, plants, goods as well as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned and the reporting process under section 10;

(4) procedures related to the request to be sent back persons, animals, plants, goods as well as conveyance, persons in charge of conveyance and crew of conveyance transporting the above-mentioned under section 11;

(5) other procedures in the common control area.

**Section 13** The Minister of Finance, the Minister of Agriculture and Cooperatives, the Minister of Transport, the Minister of Natural Resources and Environment, the Minister of Interior and the Minister of Public Health shall have charge and control of the execution of this Act and shall have the power to issue regulations for the execution of this Act accordingly in relation to their respective powers and duties.

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

Countersigned by  
Yingluck Shinawatra  
Prime Minister

**Note:** The reason for the promulgation of this Act is that the cross-border transport between Thailand and neighboring countries is increasingly important for the international trade and the development of national economy and society. There are international agreements related to cross-border transport which provide the basis for cooperation between officials from different authorities to perform their duties together in the same area. Therefore, in order to promote the international trade and to comply with such international agreements, it is expedient to designate a common area for collective duties performance and set a common rule for Thai officials and officials of the contracting party to such agreement to perform their duties in such area.