



The new policy bans on importation of used motorcycles into the Kingdom of Thailand

On 12 August 2021, the Government Gazette published Notification of the Ministry of Commerce on Prohibited Imports of Used Motorcycles into the Kingdom B.E. 2021 (“Notification”). The Notification prohibited imports of used motorcycles into the Kingdom of Thailand which shall come into force after 180 (one hundred and eighty) days from the date of its publication on the Government Gazette in order to allow industries and government agencies for preparing for its implementation.

The Notification provides the definition of motorcycles which means a motorcycle, electric motorcycles, mopeds, bicycles equipped with motor assistance including side trailers under the customs tariff of type 87.11 and motorcycles which are considered as antique over one hundred years according to the Customs Tariff Type 97.06. This does not include side trailers that are not installed on the vehicle.

In addition, the meaning of used motorcycles which is also provided includes to used motorcycles, but excludes the following:

1. Motorcycles that have been used specifically for the purpose of quality testing or for delivery to a dealer with a certificate from a brand owner; and
2. Motorcycles registered for the first time abroad before loading into vehicles from the country of origin for not more than sixty days by paying customs duties to the Customs Department of the Ministry of Finance as required for new motorcycles.

However, under the Notification, there are some exceptions to import used motorcycles into the Kingdom which are as follows:

1. Used motorcycles that the Ministry of Foreign Affairs deems appropriate to be imported for embassies, consulates general, international organizations, trade and economic offices of foreign countries, and foreign organizations which have been granted an immunity to be imported into the Kingdom along with a letter notifying the Customs Department;
2. Used motorcycles that the Ministry of Foreign Affairs deems appropriate to be imported for government agencies, state enterprises or charitable organizations of Thailand receiving such donations from foreign countries imported into the Kingdom under the National Disaster Prevention and Mitigation Plan along with a letter notifying the Customs Department;
3. Used motorcycles that are temporarily imported into the Kingdom and will be re-exported or temporarily taken out of the Kingdom and re-imported into the Kingdom under the law on customs tariffs. The importer must formalize with the Customs Department that the motorcycles will be reexported or will be reimported;

4. Used motorcycles registered for domestic use with the Department of Land Transport and then exported out of the Kingdom but unable to register for use abroad or unable to import into that country causing the need to be repatriated to Thailand. In this regard, it must be reimported within two years from the date of exportation out of the Kingdom;
5. Used motorcycles imported into the Kingdom for use as prototype motorcycles for research, development or performance testing with an approval document for exemption from excise tax or is entitled to tax at the zero rate from the Excise Department in order to show to the Customs Department for importing;
6. Used motorcycles that the Fine Arts Department has issued a certificate of importation into the Kingdom for only displaying in the museum and shall not be registered with the Department of Land Transport; and
7. Used motorcycles considered by the Ministry of Defense to be allowed to be imported into the Kingdom under the law on armament control.

Any used motorcycles imported in violation of provisions of this Notification shall be destroyed by the Customs Department.

Should you have any question, please do not hesitate to contact us via info@bglballaw.com

