



Guidelines on Protocol Practice 2024
Diplomatic Privileges and Immunities

Diplomatic Privilege and Immunity Division, Department of Protocol
Ministry of Foreign Affairs

Foreword

The 2024 Guidelines on Protocol Practice focuses on the revision of diplomatic privileges and immunities' principles, formalities and relevant process of entitled members of the Diplomatic Missions, Consular Representatives and International Organizations (DCIOs). As Thailand is the host to 80 Embassies, 16 Consulates-General, 127 Honorary Consulates, 20 United Nations- affiliated agencies and 17 International Organizations, with over 10,000 personnel eligible for different levels of privileges and immunities, the Department of Protocol of the Ministry of Foreign Affairs of Thailand is committed to facilitating the latter's livelihood and operation during their tenures in Thailand.

Since the publication of the second edition in 2016, the diplomatic protocol practice has constantly been developed, improved and updated by relevant Thai agencies to support and facilitate members of the DCIOs. Toward this end, a number of measures have also been introduced after the outbreak of COVID-19 pandemic. Furthermore, the Department of Protocol has introduced the e-Privilege system (<https://eprivilege.mfa.go.th>) to improve workflow and ensure timely service for staff members of the DCIOs, who now are required to submit their requests via this channel prior to other formalities.

In accordance with international practices, privileges and immunities accorded to staff members of the DCIOs are based on the principles of non-discrimination and reciprocity. They are also governed by Vienna Convention on Diplomatic Relations 1961 and Vienna Convention on Consular Relations 1963, Diplomatic Privileges and Immunities Act B.E. 2527 (1984) and Consular Privileges and Immunities Act B.E. 2541 (1998), which implement the aforementioned Conventions as well as the Agreements concerning privileges and immunities of the United Nations' Specialized Agencies and certain other International Organizations to which Thailand is a party. The purpose of extending these privileges and immunities is not to benefit individuals, but to ensure efficient and effective performance of the official function of the DCIOs. It must also be noted that both Conventions will only be eligible for expatriate staff of the mission. Locally-recruited staff are not entitled to enjoy the abovementioned diplomatic privileges and immunities.

Table of Contents

Part I: Administrative Arrangements	1-18
1. Visa Requirements	1
2. Assumption of Duty	2
3. Permit of Stay	3-4
4. Re-entry Visa	4
5. Identity Card	5-8
6. Airport Pass	9-12
7. Firearms	12-14
8. Official Communication Devices	15-16
9. Diplomatic Flight Clearance	17
10. Child of Members of the DCIOs Born in Thailand	17
11. Employment	18
12. Biometrics Data Collection	18
Part II: Taxation Privileges	19-33
1. Authorized Specimen Signature Submission	19
2. Customs Duty Exemption on Importation and Exportation	19
2.1 Official and Personal Goods	19-20
2.2 Alcoholic Beverages, Cigarettes and Tobacco	21-23
2.3 Armaments	23-24
2.4 Antiques and Objects of Art	24-26
2.5 Import for Exhibition	26
2.6 Import for Charity	27
2.7 Domesticated Animals	27-28
2.8 Food and Health Product	28-29
3. Zero - Percent Rate of Value Added Tax (VAT)	30-31
4. Excise Tax Reimbursement	32-33

Part III: Motor Vehicle	34-48
1. <u>Custom Clearance of Imported Duty-Free Motor Vehicle</u>	34-35
2. <u>Motor Vehicle Registration</u>	36-46
2.1 <u>Registration of Imported Motor Vehicle</u>	39
2.2 <u>Acquisition of Motor Vehicle from Privileged Person</u>	39-40
2.3 <u>Locally-Purchased Motor Vehicle</u>	40
2.4 <u>Transfer and Sale of Duty-free Imported Motor Vehicle to a non-privileged person (imported more than 5 years)</u>	41
2.5 <u>Transfer and Sale of Imported Duty-free Motor Vehicle to a non-privileged person (imported less than 5 years)</u>	42-43
2.6 <u>Transfer and Sale of Motor Vehicle between Privileged Persons</u>	43-44
2.7 <u>Transfer and Sale of Locally-Purchased Motor Vehicle</u>	44
2.8 <u>Export of Motor Vehicle</u>	45
2.9 <u>Registration Renewal</u>	45
2.10 <u>Disposal of Motor Vehicle</u>	46
3. <u>Motor Vehicle Cross-Border</u>	46-47
3.1 <u>International Transport Permit</u>	46
3.2 <u>Cross-Border Facilitation</u>	47
4. <u>Driving License</u>	48
4.1 <u>Issuance</u>	48
4.2 <u>Renewal</u>	48

Part IV: Diplomatic Immunities	49-55
1. <u>Security Protection</u>	50
2. <u>Conflict between individual with diplomatic immunity and the private sector</u>	51
2.1 <u>State Immunity</u>	51
2.2 <u>Diplomatic Immunity</u>	51
2.3 <u>Consular Immunity</u>	52
2.4 <u>The Role of the Ministry of Foreign Affairs</u>	52
2.5 <u>Persona Non Grata</u>	52
3. <u>Diplomatic Bag and Consular Bag</u>	53
4. <u>Diplomatic Bag and Consular Bag Inspection</u>	53
4.1 <u>Carry-on Diplomatic Bag and Consular Bag</u>	53
4.2 <u>Reception of Diplomatic Bag and Consular Bag from Carry-on Courier</u>	54
4.3 <u>Transit of Diplomatic Bag and Consular Bag to the Warehouse</u>	54
4.4 <u>Reception of Diplomatic Bag and Consular Bag to the Warehouse</u>	55
5. <u>Acquisition, Sale, Lease or Disposition of Real Estate (Land and/or Building)</u>	55

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Part I: Administrative Arrangements

1. Visa Requirements

Members of the DCIOs, family members and private servants must apply for **valid entry visas from Royal Thai Embassies or Royal Thai Consulates-General before arriving in Thailand**. A Note Verbale from the sending State is required, containing information on the member of the DCIOs namely: name, rank, function, expected date of entry, date of commencement of duty and expected duration of term of duty. It must also indicate names of family members and private servants (if any) as well as name and rank of predecessor.

Type of Passport	Type of Visa	Code
Diplomatic Passport	Diplomatic	D
Official Passport	Official	F
Ordinary Passport	Non-immigrant	Non-F
	Non-immigrant	Non-O
UN Laisser - Passer (Red)	Diplomatic	D
UN Laisser - Passer (Blue)	Official	F
Special Entry Permit (B)	Non-immigrant	Non-B

Members of the DCIOs, their family members and private servants from countries whose nationals are exempted from visa requirement by bilateral agreement on visa exemption with Thailand, may enter Thailand without visas on certain conditions or provisions in the said agreement.

2. Assumption of Duty

2.1 Staff Registration

Upon arrival, members of the DCIOs, family members and private servants must register their information in the e-Privilege system. The following documents must also be scanned and uploaded onto the system:

1. Photo (White/Blue Background, Straight-Face)
2. CV (for Ambassador, Chargé d'affaires, Consul-General, Minister and Minister-Counsellor)
3. Note Verbale notifying the assumption of duty
4. Form 1 : Notification of Assumption or Termination of Duty (Only for members of the DCIOs with diplomatic ranking)
5. Credentials (for Ambassador)
6. Exequatur issued by the Kingdom of Thailand (for Consul-General or Honorary Consul)
7. Passport
8. Visa
9. Entry Stamp Page
10. Evidence of Predecessor (*only if the predecessor has not been registered on the e-Privilege system)

2.2 Notification

It is requested that the Department of Protocol be notified of the assumption and termination of duty of members of the DCIOs, family members and private servants at the latest **two (2) weeks** after the arrival or final departure date.

2.3 Size of Mission

All Diplomatic Missions and Consular Representatives shall register the number of members of the mission/consular post with the Department of Protocol. The said members of the mission/consular post include only those persons who are mentioned in the Vienna Convention on Diplomatic Relations 1961 and Vienna Convention on Consular Relations 1963. The number of members should also be commensurate with the amount of workload of the Diplomatic Missions and Consular Representatives. In facilitating the assumption of duty of an incoming member, the Department of Protocol shall consider the overall number of the Diplomatic Missions and Consular Representatives. For instance, one (1) outgoing member is normally replaced by one (1) incoming member. Any Diplomatic Missions and Consular Representatives wishing to increase the number of members (size of

mission) are requested to contact their counterpart in the relevant Department (Department of European Affairs/Department of American and South Pacific Affairs/Department of East Asian Affairs/Department of South Asian, Middle East and African Affairs) to first seek an approval as this matter requires consideration at the policy level.

3. Permit of Stay

Members of the DCIOs, family members and private servants are requested to apply for permits of stay upon arrival in Thailand (as well as an extension of stay) from the Department of Protocol. Required documents must be scanned and submitted online via <https://eprivilege.mfa.go.th>. Hard copies of these documents must also be submitted to the Department of Protocol. After screening, a letter will be issued to the Immigration Bureau of the Royal Thai Police to request for the issuance of permits of stay for members of the DCIOs, family members and private servants.

Required documents for a permit or an extension of stay application:

1. A Note Verbal requesting for a permit or an extension of stay
2. A copy of the applicant's passport pages with:
 - 2.1 Personal information
 - 2.2 Latest entry stamp (*first-time application only**)
 - 2.3 Valid permit of stay (*in case of extension**)
 - 2.4 Professional contract (*International Organization only**)

Remark: All documents must be sealed and signed by the DCIOs.

It is to be noted that members of the DCIOs are categorized into two (2) main groups in accordance with Article 15 and Article 35 of the Immigration Act B.E. 2522 (1979). Details as follows:

Article 15 refers to the following persons:

1. Diplomats and immediate family members (Part 1:5. Family Members)
2. Administrative and technical staff, member of service staff and immediate family members, *excluding locally-hired staff who are member of the mission, regardless of their designations.*
3. Officials of the UN organs and immediate family members

4. Officials of other international organizations which have relevant agreements with the Royal Thai Government.
5. Officials of the Asian Institute of Technology and immediate family members
6. Private servants of diplomats and officials of international organizations as stated in relevant agreements with the Royal Thai Government

Article 35 refers to the following persons:

1. Private servants of officials of UN organs, other international organizations and the Asian Institute of Technology unless specified otherwise in their agreements with the Royal Thai Government
2. Relatives forming part of the household of diplomats, administrative and technical staff and service staff, officials of the UN Specialized Agencies, non-UN International Organizations and the Asian Institute of Technology
3. Students of the Asian Institute of Technology and members of their immediate families.

Remark: In accordance with the Immigration Bureau's Order No.137/2566, Missions/Organizations located outside of the city of Bangkok are eligible to apply for the issuance and extension of stay permit at Immigration Offices in four provinces namely 1) Chiang Mai 2) Khon Kaen 3) Phuket and 4) Songkla

4. Re-Entry Visa

Members of the DCIOs, family members and private servants, who have been granted a permit of stay, are required to apply for **re-entry visas before departing and re-entering Thailand**. They are also required to return to Thailand before the expiry date of their re-entry visas. If they depart Thailand without re-entry visas or fail to obtain re-entry visas or their re-entry visas have expired, their permits of stay are considered void. In such a case, they are required to **re-apply for the valid entry visas at the Royal Thai Embassies or Royal Thai Consulates-General**. The application for re-entry visas shall be submitted to the Department of Consular Affairs of the Ministry of Foreign Affairs of Thailand.

5. Identity Card

Members of the DCIOs and family members **are requested to carry their identity cards (ID card) with them at all times.** ID card application can be made online via the e-Privilege system (<https://eprivilege.mfa.go.th>) after the applicant is granted a permit of stay. The following required documents must be scanned and uploaded onto the system:

1. A copy of the applicant's **passport page with the permit of stay** stamp from the Immigration Bureau. The validity of the passport must be more than six (6) months prior to the application.
2. A copy of the applicant's e-signature:
 - Black Ink on a White/Off-white Background
 - Size : 500 x 200 pixels
 - File type: JPEG

5.1 Types

The Department of Protocol issues **six (6) types of ID cards** to staff members of the DCIOs and immediate family members as follows:

1. **Dark Blue:** members of the Diplomatic Missions and immediate family members (spouse and unmarried child aged 15-20 years old)
2. **Green:** career consular officers who enjoy privileges and immunities and immediate family members (spouse and unmarried child aged 15-20 years old)
3. **Light Blue:** officials of International Organizations who enjoy privileges and immunities in respect of their official act and immediate family members (spouse and unmarried child aged 15-20 years old)
4. **Grey:** head and officials of honorary consulates
5. **Beige:** officials of the following organizations who are not entitled to diplomatic privileges and immunities namely Asian Institute of Technology (AIT), Taipei Economic and Cultural Office, American Refugee Committee (ARC), International Committee of the Red Cross (ICRC), International Federation of Red Cross and Red Crescent Societies (IFRC), International Organization for Migration (IOM) and Mekong Institute. Service staff of the Diplomatic Missions and immediate family members as well as same-sex or civil partner of members of the DCIOs will also be issued this type of ID card.

6. Brown: officials of Hong Kong Economic and Trade Office (HKETO) who enjoy privileges and immunities in accordance with the Protection of the Operation of the Hong Kong Trade and Economic Office in Thailand Act B.E. 2562 (2019)

5.2 Validity

1. Four (4) - year: Diplomatic Agents and Consular Officers as well as immediate family members (spouse and unmarried child aged 15-20 years old). This card is valid for four (4) years, after which it can be renewed annually for one year.

2. Three (3) - year: Members of the Administrative and Technical staff as well as immediate family members (spouse and unmarried child aged 15-20 years old). This card is valid for three (3) years, after which it can be renewed annually for one year.

3. Contract Length: Officials of International Organizations and immediate family members (spouse and unmarried child aged 15-20 years old). The validity of the card will be commensurate with the contract length and **may not exceed three (3) years.**

4. Stay Permit Length: officials of Asian Institute of Technology (AIT), Taipei Economic and Cultural Office, American Refugee Committee (ARC), International Committee of the Red Cross (ICRC), International Federation of Red Cross and Red Crescent Societies (IFRC), International Organization for Migration (IOM), officials of Mekong Institute as well as service staff of the Diplomatic Missions, immediate family members and private servants. The validity of the card will be commensurate with stay permit and **may not exceed three (3) years.**

Remarks:

1. The validity of ID cards issued to immediate family members who arrive in Thailand at a later date and same - sex or civil partner must be similar to that of the member of the DCIOs.

2. The validity of ID card issued to a child of the member of the DCIOs will expire on the date when a child turns 20 years old.

5.3 Replacement

An ID card can be replaced in the following cases:

1. Loss

In case of loss, an ID cardholder must notify the police to request for the police report and the Department of Protocol as soon as possible. The application for the replacement of an ID card must be made via the e-Privilege system. The copy of the police report must also be attached as a supporting document. The Department of Protocol will then issue a new ID card with the same validity as the lost one.

2. Damage

In case of damage, the application for the replacement ID card must be made via the e-Privilege system. The damaged card must also be returned to the Department of Protocol. The Department of Protocol will then issue a new ID card with the same validity as the damaged one.

3. Change of Position

In case of change of position, the application for the replacement ID card must be made via the e-Privilege system. The old card must also be returned to the Department of Protocol. The Department of Protocol will then issue a new ID card with the new position for the cardholder.

5.4 Return

An expired ID card is to be returned to the Department of Protocol upon its expiration. Prior to the return of the ID card, the termination process must be completed via the e-Privilege system.



Member of Diplomatic Mission
บัตรประจำตัวบุคคลในคณะผู้แทนทางทูต

ชื่อ
Name
ตำแหน่ง
Position
ประจำ
Mission
DOB



ลายมือชื่อผู้ถือบัตร

เลขที่บัตร
Date of issue .../.../...
Date of expiry .../.../...

ผู้ถือบัตรใบนี้ได้รับเอกสิทธิ์และความคุ้มกันทางทูต

ชื่อ (พิมพ์)
(นางสาวศศิวิทย์ สันกุลรัตน์)
อธิบดีกรมพิธีการทูต

ออกให้โดย
กองเอกสิทธิ์และความคุ้มกันทางการทูต
กรมพิธีการทูต กระทรวงการต่างประเทศ
โทร 02-6435159-60 (เวลาราชการ), 02-2035000 (หลังเวลาราชการ)



Member of Consular Post
บัตรประจำตัวสมาชิกสถานกงสุล

ชื่อ
Name
ตำแหน่ง
Position
ประจำ
Mission
DOB



ลายมือชื่อผู้ถือบัตร

เลขที่บัตร
Date of issue .../.../...
Date of expiry .../.../...

ผู้ถือบัตรใบนี้ได้รับเอกสิทธิ์และความคุ้มกันทางกงสุล

ชื่อ (พิมพ์)
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อธิบดีกรมพิธีการทูต

ออกให้โดย
กองเอกสิทธิ์และความคุ้มกันทางการทูต
กรมพิธีการทูต กระทรวงการต่างประเทศ
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Honorary Consular Officer
บัตรประจำตัวเจ้าพนักงานกงสุลกิตติมศักดิ์

ชื่อ
Name
ตำแหน่ง
Position
ประจำ
Mission
DOB



ลายมือชื่อผู้ถือบัตร

เลขที่บัตร
Date of issue .../.../...
Date of expiry .../.../...

ผู้ถือบัตรใบนี้ได้รับเอกสิทธิ์และความคุ้มกันทางกงสุล

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Member of International Organization
บัตรประจำตัวบุคคลในองค์การระหว่างประเทศ

ชื่อ
Name
ตำแหน่ง
Position
ประจำ
Mission
DOB



ลายมือชื่อผู้ถือบัตร

เลขที่บัตร
Date of issue .../.../...
Date of expiry .../.../...

ผู้ถือบัตรใบนี้ได้รับเอกสิทธิ์และความคุ้มกันตามความตกลงที่มีกับรัฐบาลไทย

ชื่อ (พิมพ์)
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บัตรประจำตัว

ชื่อ
Name
ตำแหน่ง
Position
ประจำ
Mission
DOB



ลายมือชื่อผู้ถือบัตร

เลขที่บัตร
Date of issue .../.../...
Date of expiry .../.../...

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โทร 02-6435159-60 (เวลาราชการ), 02-2035000 (หลังเวลาราชการ)



Member of Economic and Trade Office
บัตรประจำตัวสมาชิกสำนักงานเศรษฐกิจและการค้า

ชื่อ
Name
ตำแหน่ง
Position
ประจำ
Mission
DOB



ลายมือชื่อผู้ถือบัตร

Code : UN606042 Card No : 6055749
Issued Date : 22 Jun 2022
Expiry Date : 06 Apr 2023

ผู้ถือบัตรใบนี้ได้รับเอกสิทธิ์และความคุ้มกันตามความตกลงที่มีกับรัฐบาลไทย

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6. Airport Pass

An airport pass is issued to members of the DCIOs based on the **principle of reciprocity** and **functional necessity**. All passes are **personalized** and **non-transferable**.

6.1 Permanent Airport Pass

The Department of Protocol is pleased to facilitate the application of a permanent (1-year) airport pass from Airports of Thailand Public Company Limited (AOT) for official use by members of the DCIOs to gain access to security restricted areas at Suvarnabhumi and Don Mueang International Airports.

Furthermore, the issuance of a permanent airport pass shall correspond to the jurisdiction of the Mission/Organization. For instance, the Embassy in Bangkok shall only be issued an airport pass for Suvarnabhumi and Don Mueang Airports whereas the Consulate – General in Phuket shall only be issued an airport pass for Phuket International Airport and nearby airports.

For **renewal** or **replacement**, an expired permanent airport pass, along with other related documents, must be returned to the Department of Protocol. Copies of these documents are also to be uploaded onto the e-Privilege system.

6.1.1 Suvarnabhumi Airport

A permanent airport pass for Suvarnabhumi Airport contains a picture of the pass holder and indicates security restricted areas which the pass holder is allowed to access. The fee for a permanent (1-year) airport pass is 220 baht per card. The designation of security restricted areas as follows:

Security Restricted Area	Designation
Baggage Claim Area	1
Passenger Departure Area	2
Passenger Arrival Area	3
Airside Area	4
Cargo	N/A
All Areas	3 and 4

6.1.2 Don Mueang Airport

A permanent airport pass for Don Mueang Airport contains a picture of the pass holder and indicates security restricted areas which the pass holder is allowed to access. Each Mission/Organization is given a maximum of three (3) airport passes. The fee for a permanent (1-year) airport pass is 220 baht per card. The designation of security restricted areas as follows:

Security Restricted Area	Designation
Baggage Claim Area	1
Passenger Departure Area	2
Passenger Arrival Area	3
Airside Area	4
Cargo	5
All Areas	6

It is to be noted that AOT has the rights to authorize an airport pass as deemed appropriate.

Any members of the DCIOs wishing to apply for or renew an airport pass shall submit **two (2) copies of Note Verbale** containing 1) first and last name of the applicant 2) diplomatic rank/position of the applicant 3) main responsibility of the applicant and the name of the airport along with one (1) copy of following documents:

Diplomatic Staff, Administrative and Technical Staff, Service Staff

1. A copy of valid ID card issued by the Department of Protocol
2. A copy of passport
3. A copy of a valid stay permit

Officials of International Organization

1. A copy of valid ID card issued by the Department of Protocol
2. A copy of passport
3. A copy of a valid stay permit
4. Police Clearance Certificate (Fingerprint Background Check) issued by the Royal Thai Police Headquarters (except D-1 Director). The said document must be dated within six (6) months.

Local Staff of the DCIOs

1. A copy of valid ID card issued by the Department of Protocol
2. A copy of passport
3. A copy of a valid stay permit
4. Police Clearance Certificate (Fingerprint Background Check) issued by the Royal Thai Police Headquarters. The said document must be dated within six (6) months.

Members of the DCIOs who are Thai nationals

1. A copy of Thai national ID card
2. A copy of House Registration
3. Police Clearance Certificate (Background Check) issued by the Royal Thai Police Headquarters. The said document must be dated within six (6) months.

6.2 Temporary Airport Pass

The DCIOs may apply for a temporary airport pass on a case-by-case basis on special occasions such as the visit of the Head of State or high-ranking officials. In so doing, a Note Verbale must be submitted to the Security Sub-Division of AOT to inform about the purpose of the application, providing the list of persons who need to enter security restricted areas of the airport. It is to be noted that AOT maintains the full authority in granting and suspending the issuance of temporary airport pass as deemed appropriate.

6.2.1 Suvarnabhumi Airport

1. Diplomatic Mission: Any Diplomatic Missions wishing to apply for a temporary airport pass for Suvarnabhumi Airport are required to submit two (2) copies of wet specimen signature in a form to the Department of Protocol. The form can be download via <https://protocol.mfa.go.th/en/page/guidelines-on-protocol-practice?menu=5d831c6815e39c2550004483>. After the Department of Protocol has conveyed the aforementioned signature to AOT, the Missions may contact AOT directly to proceed with the application for a temporary airport pass.

2. Consular Representatives and International Organizations: Any Consular Representatives and International Organizations wishing to apply for a temporary airport pass for Suvarnabhumi Airport are required to submit a Note Verbale to the Department of Protocol along with relevant documents as mentioned above. After verification, the Department of Protocol shall issue a Note to AOT, requesting a temporary airport pass for the Consular Representatives and International Organizations.

6.2.2 Don Mueang Airport

A temporary airport pass for Don Mueang Airport is categorized into two types:

1. A temporary pass (24 hours). The fee is 110 baht per card.
2. A temporary pass (2-14 days). The fee is 110 baht per card.

The DCIOs apply for a temporary airport pass directly with Don Mueng Airport. Specimen signature is not required to be submitted to the Department of Protocol before the application.

7. Firearms

Members of the DCIOs must have a valid justification to request for the permission to possess firearms. The request must be made to the Department of Protocol for the importation, registration, licensing and exportation of firearms. The application will be considered on a case-by-case basis.

In so doing, **three (3) copies of Note Verbale** must be submitted to the Department of Protocol. The Note Verbale and supporting documents must contain the following information:

7.1 Firearms Importation

1. Name of consignee and his/her assignment
2. Details of firearms (make, model, caliber, serial number, etc.)
3. Bill of lading (airway bill/seaway bill/truckway bill)
4. Date of arrival or departure
5. Name of port of arrival or departure
6. Firearms depositary document issued by the captain of the aircraft to whom such firearms are entrusted
7. List of license for firearms containing the following information:
 - 7.1 Full name of the possessor
 - 7.2 Position of the possessor
 - 7.3 Diplomatic passport and ID card number of the possessor
 - 7.4 Firearm details
 - 7.5 Firearm serial number
 - 7.6 Straight-face photo of the possessor

7.2 License Registration/Renewal

1. First name, last name, and a position of the firearm possessor
2. Details of firearms (make, model, caliber, serial number, etc.)
3. Firearm Possession and Use Request Form (Por. 1)
4. List of license for firearms containing the following information:
 - 4.1 Full name of the possessor
 - 4.2 Position of the possessor
 - 4.3 Diplomatic passport and ID card number of the possessor
 - 4.4 Firearm details
 - 4.5 Firearm serial number
 - 4.6 Straight-face photo of the possessor
5. Possession and Use of Firearms and Ammunition License - Por.4 (for renewal of license)
 6. Passport of the firearm possessor
 7. ID card of the firearm possessor
 8. Power of Attorney Document specifying designated officials of the DCIOs (for firearms of the DCIOs)

After obtaining a firearm certificate from relevant Thai authorities, the possessor shall carry firearm **only within the premises of the mission/organization/chancery/residence**. The firearm license (Por.4) is **valid for six (6) months**. Upon completion of the possessor's tenure in Thailand, the firearm must be taken out of Thailand unless a transfer request to another privileged person has been approved in advance.

7.3 Permission to carry firearms and related equipment in and out of Thailand

In order to carry firearms and related equipment in and out of Thailand, members of the DCIOs must first obtain a permission from the Thai side by submitting three (3) copies of the following documents to the Department of Protocol:

1. Note Verbale detailing the request
2. First and last name of the designated official assigned to travel with firearms
3. Travel itinerary of the designated official

4. Details of firearms and related equipment i.e. make, model, caliber serial number, ammunition, handcuff, baton as well as the authorized person to carry such equipment

5. Possession and Use of Firearms and Ammunition License (Por.4) of all carried firearms

6. Passport of the designated official

7. ID card of the designated official (issued by the Department of Protocol or other organizations)

7.4 Ammunition

The purchase of firearm ammunition is usually granted to the DCIOs on an annual basis. Nevertheless, with a valid justification, the Department of Protocol and relevant Thai authorities shall consider the request on a case-by-case basis. Any member of the DCIOs wishing to purchase ammunition shall submit to the Department of Protocol two (2) copies of the following documents:

1. Note Verbale detailing the request of ammunition purchase
2. Firearm Possession and Use Request Form (Por.1)
3. Purchase of Firearm and Ammunition Request Form (Por.3)
4. Possession and Use of Firearms and Ammunition License (Por.4) of the firearm that will be used with the purchased ammunition
5. Purchase Order of the Ammunition and translation
6. Quotation of Purchase from the supplier
7. Plan of Ammunition Usage and translation (if any)
8. Power of Attorney Document specifying designated officials in charge of the purchase
9. Identity Card of the designated official in charge of the purchase
10. Certificate/License/Permit of Firearm and Ammunition Supplier
11. Previous Permission to purchase ammunition issued by the Ministry of Foreign Affairs of Thailand (if any) as well as the remaining ammunition prior to a new purchase

8. Official Communication Devices

In accordance with Article 27 of the Vienna Convention on Diplomatic Relations 1961 and Article 35 of the Vienna Convention on Consular Relations 1963, Diplomatic Missions and Consular Representatives may establish and employ wireless transmitter for official communication with the consent of the receiving State.

Furthermore, according to Article 9 of the United Nations Convention on the Privileges and Immunities 1946 and Article 11 of the Convention on the Privileges and Immunities of the Specialized Agencies 1947, United Nations and Specialized Agencies shall enjoy in the territory of each Member its official communications treatment not less favorable than that accorded by the Government of that Member to any other Government including its Diplomatic Mission.

Given the above-mentioned provisions stated in relevant Conventions, the Ministry of Foreign Affairs of Thailand is pleased to facilitate requests regarding the establishment and usage of communication station and related equipment by coordinating with the Office of the National Broadcasting and Telecommunication Commission (NBTC) which is Thailand's main focal point on this matter.

8.1 Establishment of communication station and usage of communication devices

1. A Note Verbale must be submitted to the Department of Protocol to request for the establishment and usage of the communication station and related devices, providing necessary information such as the purpose of the request, along with details regarding the station and related devices.

2. The Department of Protocol will consider the propriety and appropriateness of the request based on relevant rules and regulations. Should the request warrant security consideration, the matter will be communicated to relevant Department in the Ministry of Foreign Affairs of Thailand and Thai security agencies (the Office of the National Security Council, the National Intelligence Agency and the Armed Forces Security Center of Royal Thai Armed Forces) for further consideration.

3. Afterwards, the Department of Protocol will coordinate with NBTC to consider the request for the station establishment and devices usage. NBTC will inform the result of its consideration to the Department of Protocol in due course.

4. Once the permission is granted, the DCIOs are kindly requested to contact NBTC to obtain the permit of establishment and license for related official communication devices. Any expense incurred will be borne by the DCIOs.

5. Upon completion of the abovementioned process, the DCIOs shall submit a Note Verbale to the Department of Protocol along with the diplomatic clearance of goods imported (DP.1 form) as well as permission and license issued by NBTC in order to proceed with the importation of related devices and equipment.

8.2 Communication Frequency Allocation

1. A Note Verbale must be submitted to the Department of Protocol to request for the allocation of communication frequency for official use. The Department of Protocol will then coordinate with NBTC to consider such request and, once approved, will notify the result of the consideration to the DCIOs in due course.

2. After receiving the permission for frequency allocation, the DCIOs are kindly requested to complete the following steps at the NBTC website at <https://efreq.nbtc.go.th>.

2.1 Register at the website to obtain username and password

2.2 Submit the request for frequency allocation via the website by filling in required information.

2.3 Prepare required documents (please see on the website) for scanning and uploading onto the website. Hard copies of these documents must also be submitted to NBTC.

3. NBTC will verify submitted information and documents. Should there be any missing documents, NBTC will contact the DCIOs directly within seven (7) working day to request for additional documents. The DCIOs are kindly requested to submit additional documents as per requested by NBTC.

4. After the completion of document verification, NBTC will request the DCIOs to make payment for a service fee of 5,000 baht plus VAT of 350 Baht per application.

5. Finally, after the request is approved, NBTC will inform the result to the DCIOs within seven (7) working days and will issue a license for the requested frequency to the DCIOs.

9. Diplomatic Flight Clearance

Diplomatic Missions are required to send a Note Verbale to request for the diplomatic flight clearance for their national aircrafts, which will overfly the Thai airspace or land at airports in Thailand **at least fourteen (14) working days** prior to the proposed date of entry into Thailand's airspace or arrival in Thailand.

A Note Verbale should be submitted to relevant department in the Ministry of Foreign Affairs of Thailand (Department of European Affairs/Department of American and South Pacific Affairs/Department of East Asian Affairs/Department of South Asian, Middle East and African Affairs). The following documents must also be submitted along with the Note Verbale:

1. Certificate of registration
2. Certificate of airworthiness
3. Aircraft Insurance
4. Aircraft operation specification
5. Dangerous goods shipper's declaration
6. Airway bills
7. Non-Scheduled Application Form for foreign aircraft

The Department concerned will then convey the request to relevant Thai authorities and inform the requesting party of the flight clearance number in due course. The diplomatic flight clearance number is generally valid for 24 hours. Should there be any change in the flight schedule, it is requested that the Thai side be informed of such change as soon as possible so that a new code number for diplomatic flight clearance could be issued. The Note Verbale should contain every necessary information including type of aircraft, call sign, points of entry and departure, date and time and purpose of the request.

10. Child of Members of the DCIOs Born in Thailand

Members of the DCIOs are required to notify the Department of Protocol of the birth of their newly born child in Thailand. If they travel out of Thailand with their newly born child, the latter must first be issued a passport of his/her nationality before departure. Before returning to Thailand, they are requested to apply for a Thai visa for their child from the Royal Thai Embassies or Royal Thai Consulates-General. After arrival in Thailand, an extension of stay must also be applied on behalf of the newly born child at the earliest opportunity.

11. Employment

Any spouse/family members of member of the DCIOs wishing to undertake private employment in Thailand must apply for a **Non-Immigrant Visa** at the Royal Thai Embassies or Royal Thai Consulates-General prior to arriving in Thailand. Upon arrival in Thailand, he/she has to apply for a **work permit** from the Ministry of Labour. Please note that spouses under this section are **not entitled to neither diplomatic privileges nor immunities** unless bilateral arrangements with the Royal Thai Government state otherwise.

12. Biometrics Data Collection

According to the Immigration Bureau, the collection of Biometrics Data (fingerprint scanning measure upon entry into Thailand) shall be **exempted for all members of the DCIOs who are holders of Diplomatic Passport**. Holders of other types of passport is not exempted from such measure.

Part II: Taxation Privileges

1. Authorized Specimen Signature Submission

The DCIOs shall submit a Note Verbale to the Department of Protocol, informing the name(s) of authorized person(s) in charge of the application of 1) custom duty exemption 2) zero-percent value added tax (VAT) and 3) excise tax reimbursement along with **ten (10) copies of specimen signature (wet signature) of authorized person(s)** with the seal of the DCIOs. The Department of Protocol will then forward them to the Customs Department, the Revenue Department and the Excise Department for reference.

Additionally, authorized person(s) are required to register for the authorization of imports and exports process (paperless formalities) with the Customs Department. However, if they cannot do so, another designated person can do it on their behalves. But in such a case, the power of attorney or a Note Verbale indicating the name of a designated person is required.

2. Customs Duty Exemption on Importation and Exportation

In granting the custom clearance privilege to the DCIOs, Thailand fully adheres to relevant international laws, regulations and agreements to which Thailand is a party as well as the principle of reciprocity.

2.1 Official and Personal Goods

1. The exemption of custom duty on imported goods is accorded to the DCIOs and their members to support their official duties and must not be utilized for commercial purpose.

2. However, if imported goods are regulated by Thai laws for instance communication devices, firearms, armaments, antiques and artifacts, agricultural products, medical supplies and pharmaceutical drugs, the DCIOs are required to comply with relevant Thai laws and regulations. In this regard, a Note Verbale must be submitted to the Department of Protocol to request for a permission before the importation of these goods.

3. The custom duty for tax- paid goods which have already been purchased from companies or stores in Thailand cannot be reimbursed. Furthermore, if the imported goods have been paid custom duty after the importation, neither exemption nor redemption can be reimbursed.

4. In accordance with the Custom Tariff Decree B.E. 2530 (1987), any imported good intended for donation or public charity through governmental or charitable organization shall be exempted from custom duty. However, such exemption is not considered as the exercise of the diplomatic privilege, but a provision on the basis of domestic laws.

5. Members of the DCIOs must first complete their official assumption of duty procedure before they can request for the exemption of custom duty for their personal goods importation. The amount of personal goods imported must be proportionate to household usage and personal goods imported must not be prohibited by domestic laws and regulations.

6. Administrative and Technical Staff of the Missions as well as their spouse and immediate family members are eligible to apply for custom duty exemption for personal goods importation within **six (6) months** from the date of their official assumption of duty.

7. According to Article 8(2) (C) of the Revenue Code, the application for VAT and excise tax exemption (if any) must be submitted at the same time as the application for custom duty exemption for imported goods. No application for any tax exemption is permitted after the completion of the aforementioned procedure.

Official and Personal Goods Importation Procedures

The DCIOs shall submit **two (2) copies of Note Verbale** to the Department of Protocol to request for custom duty exemption along with the following documents:

1. Three (3) copies of completed entry forms for the ***diplomatic clearance of goods imported (DP.1)*** sealed and signed by the authorized person (authorized specimen)

2. One (1) copy of the ***bill of lading (airway bill/seaway bill/truckway bill)*** sealed and signed by the authorized person (authorized specimen) of the DCIOs.

3. One (1) copy of the ***delivery order*** sealed and signed by the authorized person (authorized specimen) of the DCIOs. If it cannot be obtained, other confirmation document such as email are also acceptable. However, it must clearly state details of the importation.

4. One (1) copy of ***packing list***

5. One (1) copy of completed ***import declaration (customs forms 99/1)*** sealed and signed by the authorized person (authorized specimen) of the DCIOs.

6. One (1) copy of the ***invoice*** sealed and signed by the authorized person (authorized specimen) of the DCIOs (only for official importation)

2.2 Alcoholic beverages, cigarettes and tobacco

2.2.1 Alcoholic Beverages

In accordance with the Notification of the Excise Department on Terms and Conditions on the importation of Alcoholic Beverages into the Kingdom as product sample or as non-commercial purpose dated 15 March B.E. 2535 (1992), the importation of alcoholic beverages must be performed only via Suvarnabhumi Airport or any other Customs Office within the city of Bangkok.

The DCIOs and their members shall be exempted from any custom duty up to the specific quota determined by the Excise Department by the virtue of Article 47(3)(A) of the Liquor Act B.E. 2493 (1950). Please see below the current importation quota for each type of alcoholic beverage.

Type	Quota 1 Person : 1 Month
Whiskey	12 Bottles
Brandy/ Cognac	6 Bottles
Champagne	12 Bottles
Wine	24 Bottles
Other Hard Liquor	6 Bottles
Beer	96 Cans/Bottles

Remarks:

1. The quota of alcoholic beverage importation granted to the Mission is calculated by the number of members in that Mission who are entitled to custom duty exemption.

2. For International Organization, the number of members to be used in the calculation shall be determined by the Act governing its function or the Host Country Agreement between the Organizations and the Government of the Kingdom of Thailand.

3. However, members of International Organizations who are not entitled to such exemption shall import duty-free alcoholic beverages in the similar amount to that given to the general public (no more than 1 liter of alcoholic beverage for each entry into Thailand).

Alcoholic Beverages Importation Procedures

The DCIOs shall submit two (2) copies of Note Verbale to the Department of Protocol to request for custom duty exemption along with the following documents:

1. Three (3) copies of completed entry forms for the *diplomatic clearance of goods imported (DP.1)* sealed and signed by the authorized person (authorized specimen)
2. One (1) copy of the *bill of lading (airway bill/seaway bill/truckway bill) and invoice* sealed and signed by the authorized person (authorized specimen)
3. One (1) copy of the *delivery order* sealed and signed by the authorized person (authorized specimen) of the DCIOs. If it cannot be obtained, other confirmation document such as email are also acceptable. However, it must clearly state details of the importation.
4. One (1) copy of *packing list of the alcoholic beverages* specifying the type and the amount.
5. One (1) copy of completed *import declaration (customs forms 99/1)* sealed and signed by the authorized person (authorized specimen) of the DCIOs.

Remark: If the DCIOs purchase alcoholic beverages via the bonded warehouse, the supplier must issue a note confirming the waiver of the VAT exemption.

Alcoholic Beverages Importation from Bonded Warehouse Procedures

The DCIOs shall submit two (2) copies of Note Verbale to the Department of Protocol to request for custom duty exemption along with the following documents:

1. Three (3) copies of completed entry forms for the *diplomatic clearance of goods imported (DP.1)* sealed and signed by the authorized person (authorized specimen)
2. One (1) copy of *packing list of the alcoholic beverages* specifying the type and the amount.
3. One (1) copy of completed *import declaration (customs forms 99/1)* sealed and signed by the authorized person (authorized specimen) of the DCIOs.
4. One (1) copy of the *invoice* sealed and signed by the authorized person (authorized specimen)

2.2.2 Cigarette and Tobacco

The DCIOs are eligible to exercise importation privilege for cigarette and tobacco. The quota for such importation shall be 1,200 cigarettes per members of the DCIOs who are entitled to such privilege. Additionally, similar to the general public, members of the DCIOs are allowed to carry into Thailand no more than 200 cigarettes or 250 gram of tobacco or 250 grams of all types combined. Excess quantity of cigarettes, tobacco or alcoholic beverages must be dropped in the box provided by the Customs Department at the port of entry.

Remark: Kindly note that any types of e-cigarette is illegal and banned in the Kingdom of Thailand.

2.3 Armaments

The importation of armaments for the purposes of official use, joint military exercises or maintenance must be authorized by the Department of Defense Industrial, Ministry of Defense. These include weapon and its equipment, chemical substance, radioactive substance or any equipment or apparatus which can be used in combat or war. The DCIOs are advised to observe relevant details in the Ministry of Defense's announcements.

Armaments Importation Procedures

Any DCIOs wishing to import armaments shall obtain the license for importation and possession of armaments by submitting directly to the Department of Defense Industrial the **order, import, manufacture or having possession of armaments request form (Yor. Phor.1)** along with relevant documents. A copy of the said documents must also be submitted to the Department of Protocol for information. After the request is granted by the Department of Industrial Defense, the DCIOs are requested to submit the following documents to the Department of Protocol:

1. Two (2) copies of Note Verbale requesting the facilitation on custom duty exemption
2. Three (3) copies of completed entry forms for the ***diplomatic clearance of goods imported (DP.1)*** sealed and signed by the authorized person (authorized specimen)
3. One (1) copy of the ***bill of lading (airway bill/seaway bill/truckway bill) and invoice*** sealed and signed by the authorized person (authorized specimen)
4. One (1) copy of the ***delivery order*** sealed and signed by the authorized person (authorized specimen) of the DCIOs. If it cannot be obtained,

other confirmation document such as email are also acceptable. However, it must clearly state details of the importation.

5. One (1) copy of *packing list of the armaments* specifying the type and amount

6. Two (2) copies of *importation and possession of armaments license* authorized by the Defense Industrial Department

7. One (1) copy of completed *import declaration* (customs forms 99/1) sealed and signed by the authorized person (authorized specimen) of the DCIOs.

2.4 Antiques and Objects of Art

Any DCIOs wishing to import or export antiquities or artifacts must obtain a permission from the Department Fine Arts, Ministry of Culture. This is in accordance with the Act on Ancient Monuments, Antiques, Objects of Art and National Museums B.E. 2504 (1961) as last amended by the Act on Ancient Monuments, Antiques, Objects of Art and National Museums (No.2) B.E. 2535 (1992), which states that the Department of Fine Arts shall regulate the import, export and transit of antiques or objects of art, other than those items possessed by the Department, in order to prevent illegal transfers of stolen cultural heritages or national treasures.

Antique refers to an archaic movable property, whether produced by man or by nature, or being any part of ancient monument or of human skeleton or animal carcass which, by its age or characteristics of production or historical evidence, is useful in the field of art, history or archaeology.

Objects of Art refers to an object skillfully produced by craftsmanship which is highly valuable in the field of art.

2.4.1 Antiques and Objects of Art Importation

In accordance with the Notification of the Ministry of Commerce: Importation of Antiques originated outside the Kingdom of Thailand into the Kingdom B.E. 2547 (2004), the importation of antiques, with origins outside Thailand, requires a permission from the Department of Fine Arts. The certificate of origin issued by the government of the country of origin must also be submitted. These items include:

1. Buddha Statue
2. Idols
3. Religious Idols
4. Parts of Statue
5. Ancient Currency
6. Ancient Inscription
7. Ancient Document
8. Prehistorical Tools, Appliances or Jewelry

Furthermore, these antiques are permitted to be imported into Thailand for the following purposes:

1. Exhibition, study or temporary display with clear period of time and date of exportation
2. Donation to government agencies
3. Worship. Items which can be imported for such purpose include 1) Buddha statue 2) idols and 3) religious idols, with the quota of two (2) pieces per import. Item counting will be conducted according to the method determined by the Minister of Commerce.

Antiques and Objects of Art Importation Procedure

Any DCIOs wishing to import antiques or objects of art must submit a Note Verbale to request for a permission for the importation along with the following documents:

1. Front and Back 4x6 inches photos of each antique or object of art with detailed description of each item especially size and type
2. Certificate of origin issued by the government of the country of origin
3. Completed permission request form
4. A copy of the applicant's passport, sealed and signed by the authorized person (authorized specimen) of the DCIOs.

Officials of the Department of Fine Arts will inspect the imported antiques or objects of art at the customs checkpoint.

After the permission certificate is granted by the Department of Fine Arts, **the DCIOs must submit a Note Verbal to the Department of Protocol along with the said permission certificate** to request for the customs clearance facilitation.

2.4.2 Antiques and Objects of Art Exportation

1. Any DCIOs wishing to export regulated antiques or objects of art are requested to register for a permission certificate via <https://www.nsw.finearts.go.th> and to deliver the items to the General Administration Sub-division, the Office of National Museums for inspection.

2. The Department of Fine Arts will issue a permission certificate in two (2) working days after the completion of item inspection

3. Afterwards, the DCIOs shall submit a Note Verbal along with the said permission certificate to the Department of Protocol to request for export facilitation.

2.5 Import for Exhibition

Any importation intended for exhibition is subject to the consideration of the Department of Protocol and must not be utilized for neither personal use nor commercial purpose.

2.5.1 Importation in accordance with the Customs Tariff Decree B.E. 2530 (1987) part 4 category 3 (Goods carried along into the Kingdom or temporarily imported goods that must be exported within 6 months)

The DCIOs are permitted to import goods carried by the DCIOs' authorized personal upon entering Thailand without any formality, including the submission of DP.1 form. However, a Note Verbale can be sent to the Department of Protocol to request for the facilitation from the Customs Department.

There are, nonetheless, some goods which are allowed to be imported into Thailand for no longer than six (6) months such as items used in plays or performance and scientific demonstration or educational presentation. In such a case, the DCIOs are kindly requested to provide a guarantee to the Customs Department be it cash deposit, bank guarantee or a Note Verbale, which will be returned to the DCIOs after the agreed contract has been reached.

2.5.2 Importation in accordance with the Customs Tariff Decree B.E. 2530 (1987) part 4 category 10 (goods with importation privileges in accordance with any international agreements or obligations between Thailand and others)

The procedure is similar to **2.1 Importation of Official and Personal Goods**. Moreover, the DCIOs may keep the imported goods for further official use without having to complete any exportation requirement.

2.6 Import for Charity

The DCIOs may import goods for charitable purpose in coordination with any governmental organization or charitable organization such as Thai Red Cross Society and will be exempted from customs duty in accordance with the Customs Tariff Decree B.E. 2530 part 4 category 11. The procedure is similar to **2.1 Importation of Official and Personal Goods**. The certificate from the governmental organization or charitable organization confirming the purpose of the importation must also be submitted along with other relevant documents.

2.7 Domesticated Animals

Any domesticated animals imported into Thailand must receive vaccination as determined by the Department of Livestock Development prior to entering Thailand to prevent the spread of animal diseases.

2.7.1 Domesticated Animals Importation Procedure

To request for the importation of domesticated animals facilitation, the DCIOs are required to submit a Note Verbale to the Department of Protocol, indicating the amount of domesticated animal, character, species and the date of arrival at least fifteen (15) days before the arrival of the animal. The request will then be communicated to the Chief Immigration Officer and the Chief Animal Quarantine Officer of the designated immigration checkpoint such as Suvarnabhumi Airport. Afterwards, the DCIOs are requested to contact the Chief Animal Quarantine Officer directly to complete the rest of the process.

2.7.2 Domesticated Animals Exportation Procedure

The DCIOs are required to submit a Note Verbale to the Department of Protocol to notify about the exportation and to request for the exportation facilitation. Similar to 2.7.1, details of the domesticated animal as well as departure date and flight details must be provided. The request will then be communicated to the Chief Immigration Officer and the Chief Animal Quarantine Officer of the designated immigration checkpoint such as Suvarnabhumi Airport. Afterwards, the DCIOs are requested to contact the Chief Animal Quarantine Officer directly to complete the rest of the process.

2.8 Food and Health Product

Relevant Thai laws on food and health product importation exempt Thai authorities concerned from certain importation formalities. Such exemption, however, do not apply to the DCIOs. Still, the latter are given the rights to import food and health product for official use, but not for commercial purpose, in the appropriate amount.

Food and Health Product Importation Procedure

1. Any DCIOs wishing to import such product shall contact the Food and Drug Administration, Ministry of Public Health directly to obtain an importation permission. Once the permission has been granted, the DCIOs are required to submit a Note Verbale to the Department of Protocol to request for the importation facilitation. The procedure is similar to **1.2 Importation of Official and Personal Goods**.

2. The DCIOs may also import food and health product in coordination with any governmental organization. But in such a case, the Department of Protocol recommends that the importation procedure be proceeded by that governmental organization on behalf of the DCIOs.

2.8.1 Importation of Dried Fruit

Any DCIOs wishing to import the large amount of dried fruit must present a Certificate of Phytosanitary issued by the sending State along with other relevant documents to the Department of Protocol. If the Certificate of Phytosanitary cannot be obtained, the DCIOs are required to obtain the Declaration for Import of Prohibited, and Unprohibited Articles Form (Form P.Q. 5) in accordance with the Plant Quarantine Act 8.E.2507 and Amended from the Department of Agriculture, Ministry of Agriculture and Cooperatives via the latter's National Single Window at <http://nsw.doa.go.th/public>. Kindly refer to the manual via the front page of the aforementioned channel. After the permission has been granted by the Department of Agriculture, the DCIOs shall proceed with importation formalities in the similar manner to **2.1 Importation of Official and Personal Goods**

2.8.2 Importation of Cosmetic Products

Any DCIOs wishing to import cosmetic product, more than six (6) of each in quantity, are required to request for the permission from the Food and Drug Administration (FDA) or at the Import and Export Inspection Division, FDA at the Suvarnabhumi Airport in accordance with Cosmetic Act B.E. 2558 (2015). After the permission has been granted by the FDA, the DCIOs shall proceed with importation formalities in the similar manner to **2.1 Importation of Official and Personal Goods**.

3. Zero - Percent Rate of Value Added Tax (VAT)

The Department of Protocol shall verify the DCIOs' request for zero - percent rate of value added tax (VAT) based on relevant international regulations, other applicable agreements between the Government of the Kingdom of Thailand and parties concerned, as well as principle of reciprocity. It is to be noted that the Department of Revenue, Ministry of Finance has the final authority regarding VAT exemption in accordance with the Revenue Code.

The purpose of VAT exemption must be for official use or official function of the DCIOs and does not include personal use of individual member of the DCIOs. In order to apply for VAT exemption, the final price of goods or services purchased by the DCIOs must be above 5,000 baht (excluding VAT). Nonetheless, there is no minimum rate for basic utilities such as electricity, water and telephone/mobile phone/internet.

Zero - Percent Rate of VAT Procedure

1. Any DCIOs wishing to submit application for VAT exemption are requested to access the e-Privilege system to fill in the forms and upload invoice or quotation onto the system. Please print out the already - completed forms to be sent to the Department of Protocol.

2. Afterwards, the DCIOs shall submit a Note Verbale to the Department of Protocol along with the following documents:

2.1 Two (2) sets of printed out forms (as stated above) which include:

- a. Certificate of the Ministry of Foreign Affairs (Form B.)
- b. Application Form (Form A) sealed and signed by the authorized person (authorized specimen) of the DCIOs
- c. List of goods or services certified by the Note of the Ministry of Foreign Affairs sealed and signed by the authorized person (authorized specimen) of the DCIOs

2.2 Invoice or quotation of goods or services purchased, the content of which includes:

- a. Name of the DCIOs as a customer
- b. The supplier's tax ID
- c. Invoice/quotation/purchase order number
- d. Date of invoice or quotation or purchase order
- e. Indication of 7% VAT or 0% VAT

Remarks:

1. In the event the DCIOs compile multiple invoices in order to satisfy the minimum requirement of 5,000 baht, all invoices must be issued from **the same supplier on the same date**. In addition, the DCIOs are requested to submit the application within one (1) year from the date of invoice. Late application for the purchase of goods or service **shall not be accepted** especially in the case of purchase made over one (1 year).

2. To apply for VAT exemption for expenses incurred from organizing seminar, meeting or similar type of event, **the event agenda** must be attached as a supporting document.

3. **Service charge or revenue stamp** cannot be exempted.

4. **Receipt** of purchase of good or service cannot be used for the VAT exemption application.

5. The price indicated in the invoice/quotation/purchase order must be the Thai currency (Thai baht).

6. Handling, packaging and transporting of used personal effects and related customs clearance charged upon the termination of the tour of duty in Thailand of members of the DCIOs cannot be exempted.

4. Excise Tax Reimbursement

The Department of Protocol shall consider the DCIOs' request for the excise tax reimbursement for the purchase of gasoline (benzene and diesel) on the basis of reciprocity as well as the agreement between the sending State and the Government of the Kingdom of Thailand. This is in accordance with Article 107 (3) of the Excise Tax Act B.E. 2560 (2017) which states that "*the goods distributed to persons enjoying privileges under the obligations by which Thailand is bound to the United Nations or under international law or under agreements with other countries or, as a matter of diplomacy, on the basis of reciprocity.*"

4.1 Excise Tax Reimbursement Guideline

The reimbursement of excise tax is scheduled on a two (2)-month basis as follows:

4.1.1 First reimbursement: excise tax charged during January - February

4.1.2 Second reimbursement: excise tax charged during March - April

4.1.3 Third reimbursement: excise tax charged during May - June

4.1.4 Fourth reimbursement: excise tax charged during July - August

4.1.5 Fifth reimbursement: excise tax charged during September - October

4.1.6 Sixth reimbursement: excise tax charged during November - December

The reimbursement process shall be completed within one (1) year from the last date of each reimbursement period.

4.2 Excise Tax Reimbursement Procedure

4.2.1 The DCIOs are requested to send a note to the petroleum supplier along with an original receipt issued after the purchase (a copy of the receipt is acceptable), excise tax included, with the following information:

1. Vehicle's license plate number
2. Name of the owner of the registered vehicle
3. Signature of the authorized person
4. Signature of the petroleum station's cashier

Thereafter, the supplier shall issue and deliver the following documents to the DCIOs:

1. Excise Tax Reimbursement Form, sealed and signed by the authorized person (authorized specimen) of the DCIOs.
2. Tax computation issued by the supplier which includes a) the total amount of each type of petroleum purchased b) the percentage of excised tax charged and c) the total of reimbursable excise tax. This document must also be sealed and signed by the authorized person (authorized specimen) of the DCIOs.
3. List of vehicles' license plates

4.2.2 The DCIOs are also required to issue "Statement of supplies of petroleum products" to provide information regarding details of petroleum consumption in liters in accordance with each receipt. It shall also state the total consumption of the petroleum which shall, subsequently, be calculated by the suppliers to determine the amount of excise tax. The process may take at least two (2) weeks - one (1) month.

4.2.3 The DCIOs are to submit a Note Verbale to request for the reimbursement of excise tax along with aforementioned documents (as stated in 4.2.1 and 4.2.2) to the Department of Protocol. The DCIOs are also requested to submit the application via the e-Privilege system under the item *Excise Tax Refund*. After verification and document approval, the Department of Protocol will issue a note to the Excise Department for further consideration.

Part III: Motor Vehicle

Acquisition, Transfer, Export or Disposal of Motor Vehicle

In accordance with the Regulation of the Ministry of Foreign Affairs on Motor Vehicles in relation to Persons Entitled to Privileges B.E. 2532 (1989 A.D.), the purpose of the acquisition, transfer, export or disposal of motor vehicle by members of the DCIOs enjoying an exemption from customs duties, taxes and related charges is **not to benefit individuals, but to support the DCIOs' official functions**. Furthermore, members of the DCIOs operating motor vehicles in Thailand are kindly requested to fully and strictly observe traffic laws and regulations to ensure maximum road safety.

In general, the application process for all categories can be summarized as follows:

First, the DCIOs are requested to submit an application for acquisition, transfer, export or disposal of motor vehicle online via the e-Privilege system at <http://eprivilege.mfa.go.th> (permission request section). A Note Verbale stating the purpose of the application must be uploaded onto the system. In cases of acquisition, a driving license and translation (if necessary) are also required to be uploaded onto the system. After the approval, the DCIOs will receive a notification both via the e-Privilege system and by an electronic mail.

Second, the DCIOs shall continue the application process via the e-Privilege system. Another Note Verbale clearly indicating the purpose of the application and relevant documents must also be uploaded onto the system. After screening, the Department of Protocol shall issue a note for the DCIOs to be submitted to relevant Thai agency/agencies.

Please find below the application process and details for each category.

1. Custom Clearance of Imported Duty-Free Motor Vehicle

The standard quota of imported duty-free motor vehicle for the official use of the Mission/Organization is one (1) motor vehicle per three (3) privileged members of the Mission/Organization (exclusive of service staff). The quota of motor vehicle importation for personal use, however, is one (1) motor vehicle per one (1) privileged member of the DCIOs and two (2) motor vehicles for the Head of Mission (Ambassador)/Organization (Ambassadorial Rank) (exclusive of official motor vehicle).

Any members of International Organizations wishing to apply for the aforementioned exemption must hold a similar diplomatic ranking equivalent to Attaché or above and have at least one - year contract with the Organization prior to the application. However, the application for such exemption must be completed within six (6) months after the official assumption of duty.*

Furthermore, in accordance with Article 7 of the Regulation of the Ministry of Foreign Affairs on Motor Vehicles in relation to Persons Entitled to Privileges B.E. 2532 (1989 A.D.), “*when the motor vehicle acquired under this Regulation is disposed of or exported, the diplomatic mission, consular officer, or staff member of an international organization may acquire a new motor vehicle in its place only after two (2) years as from the date of registration of the motor vehicle being replaced.*”

Details of the application as follows:

1.1 Permission Request

The DCIOs are required to submit a *permission request* via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the imported motor vehicle
- c) Driving license of the owner (personal motor vehicle only)

1.2 Import Request

Once the permission is granted, the DCIOs shall continue the application process via the e-Privilege system. The following requested documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Two (2) copies of *Note Verbal* requesting customs clearance facilitation for the imported motor vehicle
- b) Three (3) copies of completed entry forms for the *diplomatic clearance of goods imported (DP.1)* sealed and signed by the authorized person (authorized specimen) of the DCIOs
- c) One (1) copy of the *bill of lading (airway bill/seaway bill/truckway bill)* and *invoice* sealed and signed by the authorized person (authorized specimen) of the DCIOs
- d) One (1) copy of the *delivery order* with sealed and signed by the authorized person (authorized specimen) of the DCIOs
- e) One (1) copy of completed *import declaration* sealed and signed by the authorized person (authorized specimen) of the DCIOs

2. Motor Vehicle Registration

The Department of Protocol, in cooperation with the Department of Land Transport, reserves the full authority to determine and assign the license plate number to the DCIOs' motor vehicles according to the following guidelines:

Initial Designation

“ท” (Tor): License Plate of the Embassy and Diplomat

“ก” (Gor): License Plate of Career Consular/Honorary Consular

“อ” (Aor): License Plate of International Organization

“พ” (Por): License Plate of Embassy's administrative and technical staff

“ศ” (Sor): License Plate of the Economic or Trade Office

License Plate Number

Diplomatic Missions and Consular Representatives

ท/ ก /ศ: Official motor vehicle of Head of the Mission: 0001

ท/ ก /ศ: Personal motor vehicle of Head of the Mission (entitled to two (2) motor vehicle): 0002 – 0003

ท/ ก: Personal motor vehicle of Minister, Minister Counsellor, Counsellor, Defense Attaché, Labour Attaché or equivalent rank : 0004 - 0099

ท/ ก: Personal motor vehicle of First Secretary: 0100 - 0199

ท/ ก: Personal motor vehicle of Second Secretary: 0200 - 0299

ท/ ก: Personal motor vehicle of Third Secretary: 0300 - 0399

ท/ ก: Personal motor vehicle of Attaché: 0400 - 0499

ท: Personal motor vehicle of administrative and technical staff: 0500 - 0599

ท/ ก /ศ: Official motor vehicle of the Diplomatic Missions/
Consular Representatives/ Office of Economic and Trade: 1000 - 1099

ท/ อ: Official motor vehicle of the Missions or Organizations' aid programme which have signed the agreement on with the Government of Thailand: 11000

ก: Personal motor vehicle of Honorary Consul: 0900

International Organizations

Members of International Organizations shall be assigned a motor vehicle license plate number in the same manner as those accorded to Diplomatic Missions and Consular Representatives. Details as follows:

Ambassador: Secretary-General	0002 – 0003
Minister Counsellor: Director	0004 – 0029
Counsellor: P-5	0030 – 0099
First Secretary: P-4	0100 – 0199
Second Secretary: P-3	0200 – 0299
Third Secretary: P-2	0300 – 0399
Attaché: P-1	0400 – 0499

Missions/Organizations	Plate Size	Designation	Plate Colour
Diplomatic Missions	11 x 38.7s cm.	ก	White
Aid programme under Missions/Organizations		พ อ	Blue
Consular Representatives		ก	Blue
International Organizations		อ	Blue
Administrative and Technical Staff		พ	Blue
Honorary Consul		ก	Light-grey

Example of License Plate of Diplomatic Missions, Consular Representatives and International Organizations



License Plate of the Missions



License Plate of the Special Aid Programme under Missions or Organizations



License Plate of the Organizations



License Plate of the Consular Representatives



License Plate of Honorary Consular

Registration Procedure

1. Any DCIOs wishing to register the motor vehicle are required to submit a Note Verbale and relevant documents (as stated below) to the Department of Protocol and to also complete the registration request via the e-Privilege system.

2. After the request has been approved, the Department of Protocol shall issue a note to the Department of Land Transport to seek for the latter's assistance in registering a motor vehicle for the DCIOs. Furthermore, a note will also be issued to the Customs Department in case of an imported vehicle.

3. Once the registration process is completed, the Department of Land Transport shall issue a note to the Department of Protocol to notify about the registration.

Please find below requested documents for each category.

2.1 Registration of Imported Motor Vehicle

After the motor vehicle has been imported, the DCIOs are required to register the motor vehicle and to request for a diplomatic plate via the e-Privilege system. Once the permission has been approved, the DCIOs shall submit the following documents to the Department of Protocol:

- a) Three (3) copies of **Note Verbale** requesting for vehicle registration facilitation
- b) Two (2) copies of the **Certificate of Import** (Form 32 issued by the Customs Department), sealed and signed by the authorized person (authorized specimen) of the DCIOs
- c) Two (2) copies of **the proof of identity (passport)** of the vehicle's owner (for the registration of a personal motor vehicle)
- d) Two (2) copies of **compulsory insurance**
- e) Two (2) copies of **vehicle insurance**

2.2 Acquisition of Motor Vehicle from Privileged Person

Any DCIOs wishing to acquire a motor vehicle from a privileged member of the DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the motor vehicle
- c) Driving License of the owner (personal motor vehicle only)

Once the permission has been approved, the DCIOs are required to forward the approved permission reference number to the purchaser to continue the process in **2.6 Transfer and Sale of Motor Vehicle between Privileged Persons**

2.3 Locally-Purchased Motor Vehicle

The DCIOs can purchase and register a locally-purchased motor vehicle for official use of the DCIOs. However, for personal use of a member of the DCIOs, a locally-purchased motor vehicle can be registered if that member has not yet been assigned any diplomatic plate.

Permission Request

The DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the motor vehicle
- c) Driving License of the owner (personal motor vehicle only)
- d) Sale and purchase contract of the motor vehicle

Locally-Purchased Registration Request

Once the permission has been approved, the DCIOs shall complete the registration process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol

- a) Two (2) copies of **Note Verbale** requesting for vehicle registration facilitation
- b) One (1) copy of **proof of purchase invoice (new motor vehicle) or registration (in case of second-hand purchase)**
- c) One (1) copy of **the proof of identity (passport)** of the vehicle's owner (for the registration of a personal motor vehicle)
- d) One (1) copy of **compulsory insurance**
- e) One (1) copy of **vehicle insurance**

Remarks:

1. Please note that there are two (2) types of locally-purchased motor vehicle registration namely a registration of a brand new motor vehicle (red plate) and a registration of a second-hand motor vehicle (white plate).

2. The locally-purchased motor vehicle must neither be under lease nor owned by car retailers or financial institutions before the registration.

2.4 Transfer and Sale of Duty-free Imported Motor Vehicle to a non-privileged person (imported more than 5 years)

According to the Notification No. 143/2560 of the Customs Department, a motor vehicle which has been imported by a privileged person for more than five (5) years from the date of release by the Customs Department can be transferred or sold to a non-privileged person without tax. However, a motorcycle which has been imported by a privileged person requires tax assessment prior to the transfer or sale to a non-privileged person.

Permission Request

The DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the purchaser (if any)

Please note that the motor vehicle must possess a valid registration prior to the transfer or sale.

Transfer and Sale of Duty-free Motor Vehicle Request

Once the permission has been approved, the DCIOs shall complete the transfer or sale process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Three (3) copies of **Note Verbal** providing details of the motor vehicle along with the name and address of the purchaser
- b) Two (2) copies of **the proof of identity (passport)** of the vehicle's **owner**
- c) Two (2) copies of **the proof of identity (ID card)** and **house registration** of the **purchaser**.
- d) the certificate of residence and passport of the **purchaser** (in case the purchaser is a foreigner)
- e) Two (2) copies of the motor vehicle's **registration**

2.5 Transfer and Sale of Imported Duty-free Motor Vehicle to a non-privileged person (imported less than 5 years)

A motor vehicle which has been imported into Thailand by a privileged person for less than five (5) years requires the tax assessment prior to the transfer or sale to a non-privileged person. A motorcycle which has been imported into Thailand by a privileged person requires the tax assessment prior to the transfer or sale to a non-privileged person. Any tax, fee, charge incurred from the assessment shall be borne by either the seller or the purchaser of the motor vehicle depending on mutual agreement.

Permission Request

The DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the purchaser (if any)

Please note that a motor vehicle must possess a valid registration prior to the transfer or sale.

After the permission has been approved, the DCIOs are required to submit another Note Verbale to the Department of Protocol to request the latter to issue a note requesting for the C.I.F (Cost, Insurance, and Freight) value and suggested retailed price from the Customs Department along with the following documents:

- a) Two (2) copies of Note Verbale
- b) Two (2) copies of the motor vehicle's registration
- c) Two (2) copies of the **proof of identity (passport)** of the vehicle's **owner**
- d) Two (2) copies of all documents issued during the importation process

The DCIOs are required to submit the said note from the Department of Protocol to the Customs Checkpoint where the motor vehicle was imported to assess the C.I.F Value and tax. The C.I.F. Notification Note, indicating the C.I.F. Value and tax, will be sent directly to the DCIOs.

Afterwards, the DCIOs are required to submit another Note Verbale to the Department of Protocol to request for custom duty payment, along with the C.I.F Notification Note. After verification, the Department of Protocol shall then issue another note for the DCIOs to be submitted to the Customs Department for custom duty payment.

Transfer and Sale of Duty-charged Motor Vehicle to non-privileged person Request

After all custom duty has been paid, the motor vehicle is considered to be ready for the transfer or sale. The DCIOs are requested to re-access the e-Privilege system to complete this process. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Three (3) copies of **Note Verbal** providing details of the motor vehicle as well as the name and address of the purchaser
- b) Two (2) copies of the **proof of identity (passport)** of the vehicle **owner**
- c) Two (2) copies of the **proof of identity (passport)** of the vehicle's **purchaser (in case purchaser is foreigner)**
- d) Two (2) copies of **ID card and House registration** of the vehicle's **purchaser (in case purchaser is Thai)**
- e) Two (2) copies of the **motor vehicle's registration**
- f) Two (2) copies of the **paid-custom duty invoice**

After verification, the Department of Protocol shall issue a note for the DCIOs to be submitted to the Department of Land Transport to complete the transfer or sale.

2.6 Transfer and Sale of Motor Vehicle between Privileged Persons

Permission Request

The DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the purchaser (if any)

Please note that the motor vehicle must possess a valid registration prior to the transfer and sale.

Transfer and Sale Request

Once the permission has been approved, the purchaser of the motor vehicle shall fill in the reference number provided by the seller (from **Acquisition of Motor Vehicle from Privileged Person**) and continue the process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Three (3) copies of **Note Verbal** providing details of the motor vehicle as well as the name and address of the purchaser
- b) Two (2) copies of **the proof of identity (passport)** of the vehicle **owner**
- c) Two (2) copies of the **proof of identity (passport)** of the vehicle's **purchaser**
- d) Two (2) copies of the **motor vehicle's registration**

Remark: For the locally-purchased motor vehicle, the number of copies required for each document will be decreased by one (1).

2.7 Transfer and Sale of Locally-Purchased Motor Vehicle

A locally-purchased motor vehicle can be transferred or sold without any condition.

Permission Request

The DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Details of the purchaser (if any)

Please note that the motor vehicle must possess a valid registration prior to the transfer and sale.

Transfer and Sale of Locally-Purchased Motor Vehicle Request

Once the permission has been approved, the DCIOs shall complete the transfer or sale process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Two (2) copies of **Note Verbal** providing details of the motor vehicle as well as the name and address of the purchaser
- b) One (1) copy of **the proof of identity (passport)** of the vehicle **owner**
- c) One (1) copy of **the proof of identity (ID card)** and **house registration** of the **purchaser**.
- d) Residence certificate and passport of the **purchaser** (in case the purchaser is a foreigner)
- e) One (1) copy of the motor vehicle's **registration**

2.8 Export of Motor Vehicle

Members of the DCIOs are permitted to export the motor vehicle **only to the next overseas posting after Thailand** or **their home country/permanent residence**.

Permission Request

The DCIOs are required to submit a permission request via the e-Privilege system along with the following documents:

- a) Note Verbale
- b) Document(s) providing export details

Export Request

Once the permission has been approved, the DCIOs shall complete the export process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol.

- a) Four (4) copies of **Note Verbal** providing details of the motor vehicle
- b) Three (3) copies of **the proof of identity (passport)** of the vehicle's **owner**
- c) Three (3) copies of the motor vehicle's **registration**
- d) Three (3) copies of document(s) providing export details

Remark: The cancellation of the diplomatic license plate must first be completed before the motor vehicle can be exported.

2.9 Registration Renewal

The DCIOs are required to renew the motor vehicle registration on an annual basis. In so doing, a permission request is not required to be submitted through the e-Privilege system.

Renewal Request

The DCIOs shall complete the registration renewal process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Two (2) copies of **Note Verbale** requesting for a vehicle registration facilitation

- b) One (1) copy of **the proof of identity (passport)** of the vehicle's owner (only for a personal vehicle of members of the DCIOs)
- c) One (1) copy of **valid compulsory insurance**
- d) One (1) copy of **valid vehicle insurance**
- e) One (1) copy of the motor vehicle's **registration**

2.10 Disposal of Motor Vehicle

The DCIOs shall complete the disposal process via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Three (3) copies of **Note Verbal** providing details of the motor vehicle
- b) Two (2) copies of **the proof of identity (passport)** of the vehicle's **owner**
- c) Two (2) copies of the **motor vehicle's registration**
- d) Two (2) copies of **damage certificates** issued by an insurance company

Remark: For the locally-purchased motor vehicle, the number of copies required for each document will be decreased by one (1).

If the motor vehicle to be disposed of has been imported for less than five (5) years, the DCIOs are required to obtain custom duty assessment prior to the disposal. Kindly refer to **2.5 Transfer and Sale of Duty-charged Motor Vehicle to non-privileged person (imported less than 5 years)**

3. Motor Vehicle Cross-Border

3.1 International Transport Permit Issuance

The DCIOs may apply for an international transport permit for the motor vehicle to be used in crossing the border via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies of these documents must be submitted to the Department of Protocol:

- a) Two (2) copies of Note Verbale
- b) One (1) copy of the valid motor vehicle's registration
- c) One (1) copy of **the proof of identity (passport)** of the motor vehicle's **owner**

Renewal

The DCIOs may apply for the renewal of an international transport permit for the motor vehicle to be used in crossing the border via the e-Privilege system. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Two (2) copies of Note Verbale
- b) One (1) copy of the valid motor vehicle's registration
- c) One (1) copy of **the proof of identity (passport)** of the motor vehicle's **owner**
- d) One (1) copy of previous international transport permit
- e) One (1) copy of **valid compulsory insurance**
- f) One (1) copy of **valid vehicle insurance**

3.2 Cross-Border Facilitation (Only for Official Purpose)

Any DCIOs wishing to apply for the cross-border facilitation may do so via the e-Privilege system fourteen (14) days before the travel date. The following documents are to be scanned and uploaded onto the system and the hard copies must be submitted to the Department of Protocol:

- a) Three (3) copies of **Note Verbale** indicating the travel destination, Thai border checkpoint and date of travel
- b) Two (2) copies of the valid motor vehicle's registration
- c) Two (2) copies of the **proof of identity (passport)** of the driver and passenger(s) on board the motor vehicle

Once the request has been approved, the Department of Protocol shall issue a cross-border facilitation notes for the DCIOs to be presented at the border checkpoint before departing the Kingdom of Thailand.

4. Driving License

The Department of Protocol is pleased to facilitate members of the DCIOs with their application for and renewal of driving licenses. In so doing, they are required to complete the process via the e-Privilege system and to submit the following documents to the Department of Protocol:

4.1 Issuance

- a) Two (2) copies of **Note Verbal** indicating type(s) of licenses (motor vehicle, motor cycle or both)
- b) One (1) copy of the valid **foreign driving license** with translation (for non-English)
- c) One (1) copy of the passport
- d) One (1) copy of the valid permit of stay
- e) One (1) copy of the professional contract (for members of International Organizations)

4.2 Renewal

- a) Two (2) copies of **Note Verbal** indicating type(s) of licenses (motor vehicle, motor cycle or both)
- b) One (1) copy of the expired driving license
- c) One (1) copy of the passport
- d) One (1) copy of the valid permit of stay
- e) One (1) copy of the professional contract (for members of International Organizations)

Remark: A driving license is issued to four (4) groups of person namely 1) Diplomat 2) Spouse of Diplomat 3) Administrative and Technical Staff and 4) Service Staff who is employed as a driver for the Mission/ Organization.

Part IV: Diplomatic Immunities

According to Article 29 and Article 31 of the Vienna Convention on Diplomatic Relations 1961, a diplomatic agent shall be inviolable and enjoy diplomatic immunity from the criminal, civil and, with some exceptions, administrative jurisdiction of the receiving State.

1. Under the provisions of the Vienna Convention on Diplomatic Relations 1961, the followings are inviolable:

1.1 Premises of the mission and its means of transport (Article 22)

1.2 Archives and documents of the mission (Article 24)

1.3 Official correspondence, diplomatic bag and diplomatic courier (Article 27)

1.4 Diplomatic agents (Article 29), members of the administrative and technical staff of the mission and members of their immediate families forming part of their households only if they are not nationals or permanent residents of the receiving State (Article 37, paragraph 1 and Article 37, paragraph 2)

1.5 Private residences of diplomatic agents (Article 30) and members of the administrative and technical staff of the mission if they are not nationals or permanent residents of the receiving State (Article 37 paragraph 2) as well as their papers, correspondence and property (Article 30, paragraph 2). Property is only inviolable when used by persons enjoying privileges and immunities

2. For the consular representatives, the diplomatic immunities shall be in accordance with the provisions of the Vienna Convention on Consular Relations 1963 as follows:

2.1 Consular premises (Article 27, Article 31)

2.2 Consular archives and documents (Article 33)

2.3 Official correspondence of the consular post (Article 35, paragraph 2)

2.4 Consular courier (Article 35, paragraph 5)

2.5 Consular Officer, with certain exceptions (Article 41)

The receiving State must take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

The premises of the mission shall also be immune from search, requisition, attachment or execution. Therefore, the receiving State shall accord full facilities for the performance of the functions of the mission.

It must be noted that, according to Article 41 of the Vienna Convention on Diplomatic Relations 1961 and Article 55 of the Vienna Convention on Consular Relations 1963, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. Diplomatic and consular immunities do not relieve diplomatic and consular personnel of the duty to discharge all private financial obligations incurred during their stay in Thailand.

Furthermore, international organizations situated in the Kingdom of Thailand are entitled to diplomatic immunities (if any) in accordance with the provisions of its 1) Conventions and/or 2) Exchange of Note and/or 3) Host Country Agreement to which Thailand is a party and/or 4) domestic laws which Thailand enforces.

1. Security Protection

Thailand, as a receiving State, is responsible for the protection of the DCIOs' property from any damage, disturbance or intrusion. Security protection is normally provided on a regular basis such as patrol and protection of the DCIOs' premises. However, under unusual circumstances for instance verified threat and intimidation to the DCIOs from individuals or groups such as threat of terrorism or demonstration, the increased security protection shall be provided for the DCIOs. Special security arrangements may also be requested for such occasions as National Day, Independence Day, overseas election. Please note that the following agencies are responsible for security protection of the DCIOs:

A. Bangkok: Special Branch and Metropolitan Police Bureau, Royal Thai Police

B. Provincial Regions: Special Branch and Provincial Police of the Region, Royal Thai Police

Procedure

Any DCIOs wishing to request for security protection are requested to access the e-Privilege system and complete "Security Measures Request Form" which can be found via Diplomatic Portal and Form on <https://protocol.mfa.go.th/en>. Please upload the completed Form,

along with the Note Verbale, onto the system. Hard copies of both documents must also be sent to the Department of Protocol. Thereafter, the Department of Protocol will issue a note to the Royal Thai Police or the Provincial Police Region to arrange appropriate security for the DCIOs.

2. Conflict between individual with diplomatic immunity and the private sector

2.1 State Immunity

State, as well as its agency, is entitled to immunity from the judicial jurisdiction of other States unless the immunity is waived by the consent of State or in the case that State cannot exercise its immunity for instance in the case of commercial disputes.

However, the relevant law and regulation of Kingdom of Thailand has yet to be enforced in regards to the immunity from judicial jurisdiction entitled by other States operating in Thailand. Furthermore, many precedent cases occurred between individual with diplomatic privileges and immunities and the private sector were mostly concerned with commercial disputes such as labour-related lawsuit, which has been ruled by the judicial authority, in accordance with the Vienna Convention on Diplomatic Relations 1961, that State cannot exercise its immunity in the like of the aforementioned case.

2.2 Diplomatic Immunity

In accordance with Section 31 of the Vienna Convention on Diplomatic Relations 1961:

“A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:

*(a) A real action relating to **private immovable property** situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission*

*(b) An action relating to **succession** in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State*

*(c) An action relating to **any professional or commercial activity exercised by the diplomatic agent** in the receiving State outside his official functions.”*

Therefore, a diplomatic agent shall be immune from the judicial jurisdiction of other States except in the aforementioned cases.

2.3 Consular Immunity

The Kingdom of Thailand, as a receiving State and a signatory to the Vienna Convention on Consular Relations 1963, shall proceed in accordance with Article 43 of such Convention as follows:

“1. Consular officers and consular employees shall not be amenable to the jurisdiction of the judicial or administrative authorities of the receiving State in respect of acts performed in the exercise of consular functions.

2. The provisions of paragraph 1 of this article shall not, however, apply in respect of a civil action either:

(a) arising out of a contract concluded by a consular officer or a consular employee in which he did not contract expressly or impliedly as an agent of the sending State or

(b) by a third party for damage arising from an accident in the receiving State caused by a vehicle, vessel or aircraft.”

Therefore, a consular officer and consular employee shall be immune from the judicial jurisdiction of other States except in the aforementioned cases.

2.4 The Role of the Ministry of Foreign Affairs

The Ministry of Foreign Affairs of the Kingdom of Thailand shall act as a diplomatic channel between the judicial authorities and the privileged and immune person. The Ministry, as a diplomatic channel, shall remain solely as a conveyor of any judicial interaction including a transfer or delivery of legal documents such as a subpoena or a complaint. The Ministry shall remain impartial.

2.5 Persona Non Grata

In accordance with Article 9 of the Vienna Convention on Diplomatic Relations 1961 and Article 23 of the Vienna Convention on Consular Relations 1963, if any members of the DCIOs commit any act that violate international laws, transgress domestic rules and regulations or demonstrate any unacceptable behaviour that may endanger the national interest of the receiving State and its community, the Kingdom of Thailand, as a receiving State, reserves the rights to declare such individual as a *persona non grata* without any advance notification.

3. Diplomatic Bag and Consular Bag

Diplomatic and consular bags are entitled to diplomatic immunity in accordance with the Vienna Convention on Diplomatic Relations 1961 and the Vienna Convention on Consular Relations 1963, which state that diplomatic and consular bags shall be inviolable and shall neither be opened nor detained by the receiving State. Moreover, the package constituting diplomatic and consular bags ***must*** bear visible external marks of their character. Diplomatic and consular bags may contain only official correspondence intended for official use of the mission.

4. Diplomatic Bag and Consular Bag Inspection

The Civil Aviation Authority of Thailand (CAAT) has stipulated rules and regulations regarding diplomatic and consular bags inspection as follows:

1. Diplomatic and consular bags shall be examined only by **visual check**. As mentioned above, they must bear visible external marks of their character, remain in good condition with proper seal and show no sign of tampering.
2. Relevant authorities may request to inspect a proof of identity of a diplomatic courier and official documents issued by the sending State, nominating the person as a diplomatic courier and providing clear quantity of a diplomatic bag or a consular bag.
3. If there is any suspicion about the content in a diplomatic bag or a consular bag, relevant authorities may deny its entry into the restricted area of the airport or the aircraft.

4.1 Carry-on Diplomatic Bag and Consular Bag

1. In case that a person with diplomatic privileges and immunities is assigned as a **diplomatic courier**:
 - a. Relevant authorities may request to inspect a diplomatic courier's passport and/or diplomatic identity card issued by the Department of Protocol.
 - b. Similar to other passengers, a diplomatic courier is required to undergo security screening at the checkpoint of the airport in accordance with Section 5 of the Regulation 83 of the Thailand Aviation Authority of Thailand. Such screening, however, may be exempted for properly sealed bags or belongings.

c. Any DCIOs wishing to request for the **exemption of the security screening** for a diplomatic courier at the security checkpoint of the airport must submit a Note Verbale to the authority of the designated airport to request for such exemption, indicating the **name and identity of the person requiring exemption**. On a travel date, a diplomatic courier must present an identity card and the said Note Verbale to the authority prior to entering the restricted area or the aircraft. After identity verification, a diplomatic courier along with a properly sealed diplomatic bag or consular bag with visible mark of its character shall be exempted from security screening. It must be noted that diplomatic and consular bags must not contain weapons, explosive devices and other harmful contents.

4.2 Reception of Diplomatic Bag and Consular Bag from Carry-on Courier

A diplomatic courier carrying a properly sealed diplomatic bag or consular bag of the sending State shall proceed through the Customs Checkpoint of the Arrival Hall. Nevertheless, while the Kingdom of Thailand adheres to the international practice as well as diplomatic protocol and courtesy, officers of the Customs Department, if necessary, may proceed with the diplomatic bag or consular bag as deemed appropriate for the national security and interest.

4.3 Transit of Diplomatic Bag and Consular Bag to the Warehouse

Any DCIOs wishing to transit a diplomatic bag or a consular bag to the Warehouse via Shipping Agency are required to prepare (1) Airway Bill/ Delivery Order and (2) a Note Verbale notifying the transit of a diplomatic bag or a consular bag.

A diplomatic bag or a consular bag shall be transited to the warehouse of the designated airport by representatives of the shipping agency, whose responsibility is to coordinate with the Customs Officer at the airport. Please note that a diplomatic bag or a consular bag must undergo customs formalities and security measure such as x-ray screening before boarding the aircraft.

4.4 Reception of Diplomatic Bag and Consular Bag to the Warehouse

A diplomatic bag or consular bag shall be transited to the warehouse of the airport. The DCIOs are required to coordinate with the shipping agency to proceed the diplomatic bag or consular bag through the customs formalities. Once the customs formalities has been completed, the DCIOs are required to present the following documents to receive the diplomatic bag or consular bag

1. Note Verbale issued by the DCIOs notifying the incoming of the diplomatic bag or consular bag
2. Airway bill/Seaway bill/Truckway bill/Delivery Order

5. Acquisition, Sale, Lease or Disposition of Real Estate (Land and/or Building)

The DCIOs may acquire, sell, lease or dispose of land and/or building in the Kingdom of Thailand for official purpose by, first of all, seeking for the **permission from the Ministry of Foreign Affairs of the Kingdom of Thailand.** In so doing, the DCIOs are required to submit to the Department of Protocol five (5) copies of Note Verbale and relevant documents with information regarding the property namely (1) address (2) photographs (3) floor plan (in case of a building) (4) purpose of the use of the property such as Chancery, Residence of Head of the Mission (5) type of transaction (acquisition, sale, lease or disposition) (6) copies of title deed. Please kindly notify the Department of Protocol after the process is completed so that the Department can communicate the matter to relevant Thai agencies for further actions.
