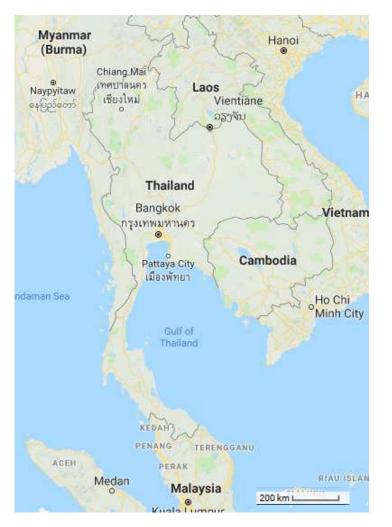


Revision of mining codes and laws: Thailand

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Country profile





- SE Asia
- Area: 530,000 km²
- Population: 66 million
- GDP: 455 billion USD
- GDP share:
 - Agriculture 6%
 - Mining & construction 5%
 - Manufacturing 27%
 - Services & others 61%
- Centralized government



Source: NESDB, 2017 and 2018; Google Map; https://zh.m.wikipedia.org/zh-hk/File:Thailand_in_the_world_(W3).svg

Overview of Thailand's mining industry (2017)

- Mining and quarrying 0.6% GDP
- 554 active mines
- Direct employment: 12,649
- 37 types of minerals
- Total production value: 2,278 million USD
 - Limestone for cement production 22% (68M t)
 - Limestone for aggregate 24% (68M t) (102M t)
 - Lignite 20% (16M t)
 - Others: stone for aggregate, gypsum, rock salt, silica sand, dolomite, shale, calcite, and feldspar



Overview of Thailand's mining industry (2017)

Import

- Value: 1,948 million USD
- Increased about 14% from 2016
- Key products:
 - Coal and coke (>75%)
 - Others: tin ore, dimension stones, talc, niobium and vanadium ore, molybdenite ore, and kaolin

Export

- Value: 379 million USD
- Dropped by 36% from 2016
- Key products:
 - Tin metal (42%)
 - Gypsum (29%)
 - Others: anhydrite, feldspar, and dolomite



Mining-related laws in Thailand

- Minerals Act B.E. 2560 (2017) and its Ministerial Regulations
- Other laws such as
 - Constitution B.E. 2560 (2017)
 - Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) and (No. 2) B.E. 2561 (2018)
 - Determining Plans and Process of Decentralization to Local Government Organization Act B.E.2542 (1999)
 - Labor Protection Act B.E. 2541 (1998)
 - Occupational Safety, Health and Environment Act B.E. 2554 (2011)
 - Hazardous Substance Act B.E. 2535 (1992)
 - Arms Control Act B.E. 2530 (1987)
 - Firearms, Ammunition Explosives, Pyrotechnics, and Fake Gun Act B.E. 2490 (1947)

Remarks: Petroleum is regulated by the Petroleum Act B.E. 2514 (1971)



Minerals Act B.E. 2560 (2017)

- Chapter 1 Mineral management policies
- Chapter 2 Minerals Committee and Provincial Minerals Committee
- Chapter 3 General provisions
- Chapter 4 Mineral exploration
- Chapter 5 Mining
- Chapter 6 Underground mining
- Chapter 7 Small-scale mining, mineral panning
- Chapter 8 Mineral business operation, mineral dressing and metallurgy operation

Chapter 9 Survey

Chapter 10 Rejection of applications and cancellation, correction and revocation of permission

- Chapter 11 Mineral royalties, fees and special subscription
- Chapter 12 Development and promotion
- Chapter 13 Civil liability
- Chapter 14 Control and inspection
- **Chapter 15 Penalties**
- Chapter 16 Transitory provisions



- Contextual changes
 - Structure of the mining industry
 - Lesson learned about mining impacts and
- Objectives of the revision
 - Modernization
 - Systemic resource management
 - Enhancement of operation quality and participation
 - Reduction of political influence and corruption



- Changes
 - Law merging
 - Mineral Management Policy and the Commission
 - Mining zones
 - Criteria for permission and control mining operations
 - » Committee and authority
 - » Classification of projects
 - » Mine rehabilitation
 - » Penalties
 - Participation of community
 - Revenue collection and sharing
 - Land use compensation



- Change characteristics
 - Incremental
 - Participative
- Achievements
 - Responsive to the situation
 - Presence of policy
 - Comprehensive in terms of management, less use of administrative power
 - More participation opportunities



- Challenges
 - Imbalanced negotiation power
 - Investment hindrance
 - Impractical requirements
 - Excessively strict regulations and unreasonable penalties
- Implementation of new measures
 - Ongoing drafting process for the subordinate laws
 - Meetings to clarify work procedures



Thank you for your attention!

