

ABSTRACT

Research Project Title : A Study of Law and Regulations Concerning Goods Import – Export Along Thai – Myanmar Borderline in Chiang Rai and Mae Hong Son Province Area

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The aim of this research is to study the regulations concerning problems of import – export along the borders of Thailand in order to find solutions and to develop Thai – Myanmar border trade along Chiang Rai and Maehongson borderline.

This research is conducted through two research methodologies: documentary research and a survey of local people's opinions specifically for Maesai border trade point in Chiang Rai province and Maehongson province area by means of questionnaire , interview and group discussions regarding border trade.

It was found out in the study that most of entrepreneurs are minor traders in both wholesale and retail businesses on everyday life consuming goods and agricultural products. However, the study found that the development from local border trade to a transit to the third country (China) in Maesai area is greater in both quantity and value than that in Maehongson province area. In addition the clear policies of both government and private sectors to promote border trade in this area turn Maesai into a high potential trade area to be developed into a gate way to international trade. Unlike Maesai, Maehongson area is facing problems in regard to border trade. However, it is due to the fact that the atmosphere of the neighboring country is getting better, border trade in this area should be promoted along with high potential tourism.

As far as the regulations are concerned, it was found that many kinds and levels of laws and regulations especially the act, are involved in import and export along the border. Therefore, many offices in different ministries have to be involved.

Those laws could be classified as follows.-

1. Laws which control the import – export of all kinds of goods (they are the goods importing – exporting act B.E. 2522, Customs act, Money exchange control act B.E. 2485).

2. Laws which control the import – export of specific goods(they are 52 Acts in 10 ministries)

In regard to categories, goods could be classified as follows.-

1. Imported goods
 - 1.1 permission needed goods
 - 1.2 specially controlled goods
 - 1.3 special fee needed goods
 - 1.4 forbidden imported goods
2. Exported goods
 - 2.1 controlled goods
 - 2.2 Standard goods
 - 2.3 General goods

The government unit that plays the most important role is the customs house; however, there are also some other units of both central and local government which play a repeated role which sometimes causes problems to traders.

The problems found in this research are divided into two parts:

1. Outbound problems such as Myanmar trade regulations and policies, stability and security problems from fights among ethnic minority groups in Myanmar and drugs problems
2. Inbound problems such as a lack of knowledge in regulations of import and export, the enforcement of some laws such as Martial law act, the limitation of cash currency volume in border area, adjustment of tax causing reduction in imported commodity product which also leads to a decrease in other products. Moreover, private sectors in Maehongson propose that border trade be promoted and developed, and also a change from temporally check point to permanent transit check point. However, some security problems still remain.

Suggested solutions from the research are as follows.-

1. There should be a dialog between Thailand and Myanmar to ease the Myanmar's trade regulations. Also, multi-level cooperation, improvement in infrastructure, transformation of temporally check point to permanent transit check point along with cultural exchange or relationship promoted activities are needed.
2. Some regulations such as Martial law act should be adjusted. The military staff should be more flexible in border trade. In the mean time, examination through custom house can be done. The permission of a maximum of 500,000 baht a day per person for border trade must be revised to appropriately serve the area and for effective taxation.
3. Communities should be strengthened. Educational institutions in the area can be used as a learning center and a center of information providing of informations about our neighboring countries and communities training in cooperation with local government.
4. The specific government unit concerning border trade should be set up to deal with border trade affairs directly. This will eliminate the repetition of authorities in the area.