

Regulation of Department of Disease Control
Re: How to Contact Tobacco Entrepreneurs and Related Persons
B.E. 2555 (2012)

Whereas it is expedient to determine criteria and procedures on how to contact tobacco entrepreneurs and related persons to be in compliance with Thailand's commitment under Section 5.3 of the WHO Framework Convention on Tobacco Control in order to prevent the sanction of public policy on tobacco control by tobacco entrepreneurs and related persons and to determine measures for contacting and coordinating with tobacco entrepreneurs and related persons to ensure transparency,

By virtue of the power vested by the provision of Section 32 of the State Administration Act B.E. 2534 and amended editions the Director-General of Department of Disease Control therefore issues a regulation as follows:

Article 1. This Regulation is called "Regulation of Department of Disease Control Regarding How to Contact Tobacco Entrepreneurs and Related Persons B.E. 2555 (2012)".

Article 2. This Regulation shall come into force from the day following the date of its publication in the Government Gazettes.

Article 3 The Regulation of Department of Disease Control Regarding How to Contact Tobacco Entrepreneurs and Related Persons B.E. 2553 (2010), shall be repealed

Article 4. In this Regulation:

"Officials" means civil servants, civil staff, and Disease Control Department employees, including those persons under other entities coming to perform their civil service within the Department.

"Entrepreneurs" means tobacco entrepreneurs or agents comprising manufacturers, suppliers, importers, or exporters of tobacco products.

"Related Persons" means individuals or organizations relating to or receiving benefits from the tobacco industry, both directly and indirectly, such as associations or clubs that grow tobacco leaves, associations or clubs of merchants who trade tobacco products, legal advisors or lawyers of entrepreneurs, or tobacco products advertiser, etc.

"Tobacco Products" means tobacco products pursuant to the tobacco products control law.

Article 5. Contact or Request to meeting between an official and entrepreneur or related person may be made only as necessary specifically for the actions under the tobacco products control law or any

other measures according to the Framework Convention on Tobacco Control only, so as to ensure the effective control of tobacco products.

Article 6. Actions under the tobacco products control law under Article 5 include:

- (1) Notification of ingredient items of tobacco products.
- (2) Request of a certificate form for the notification of ingredient items of tobacco products.
- (3) Listening to clarifications on the tobacco products control law scheduled to be made available by an official for the purpose of understanding rehearsal and proper performance.
- (4) Seeking advice about the tobacco products control law.
- (5) Complaining about the tobacco products control law.

Article 7. In the event of contact between an official and an entrepreneur or related person, the official shall procure that their correspondence be recorded as evidence with at least details as follows:

- (1) Date and time of contact;
- (2) Name and title of the responsible official;
- (3) Name, title and address of the entrepreneur or related person; and
- (4) Record of summarized issues of contact.

Article 8. In case an entrepreneur or related person wishes to request to meet with an official for an action in pursuant of the tobacco products control law or for whatsoever purposes, with the exception of the case where the contact is made under Article 6 (1) (2) or (3), the entrepreneur or related person shall send a letter of intent describing the purposes of the requested meeting to the Director of Office of Tobacco Control or the Director of Office of Disease Prevention Control for approval as appropriate, as the case may be.

Article 9. In the event of permitted meeting, the official shall have a letter of appointment in appropriate time to the entrepreneur or related person detailing at least the day, time, venue and agendas of the meeting.

The official shall fix a date and time within governmental working hours, and the appointment shall be made at a governmental venue.

Article 10. Meeting between an official and an entrepreneur or related person under Article 9 shall be conducted as follows:

- (1) The official shall fix the agendas of the meeting and number and list of attendees clearly.
- (2) The entrepreneur or related person shall notify its name together with personnel identification evidence.
- (3) Before the meeting starts, the official shall have the entrepreneur or related person sign a letter certifying that they will neither take a photograph, record sounds in the meeting, nor put the meeting essence into publicity for commercial benefits.
- (4) The official shall produce the minutes of meeting.
- (5) The meeting essence shall, by the official, be revealed and made available to the public.

Article 11. The certificate form under Article 10 (3) shall be in accordance with the attachment.

Article 12. In the event of problem on the performance or implementation in according to this Regulation, the Director-General of Disease Control Department shall make a final decision.

Notified on this 29th day of February, B.E. 2555 (A.D. 2012)

Porntep Siriwanarangsun

Director-General, Department of Disease Control

Designated Letter of Certification

Re: Contact with Tobacco Entrepreneurs and Related Persons

B.E. 2555 (2012)

Written at:.....

Date:

I (Company/Mr./Miss)

Represented by..... Title:.....

(specify the name of manufacturer, supplier, importer, exporter or related person; for juristic person, specify the lawful representative), aged years, race: Nationality:

Identification Number/Passport No:

Address:

Telephone:..... Facsimile:, who will attend

a meeting with Department of Disease Control officers at the Meeting No...../.....on

the..... day of..... A.D.....

hereby certify that I will neither take a photograph, record sounds in the meeting, nor put the meeting essence into publicity for any commercial benefit whatsoever.

Signed.....

(.....)

Remark: Person who does not sign this letter is not permitted to attend the meeting.