

Draft

Hazardous Substance Act (No.....)

B.E.

Whereas it deemed appropriate to amend the Act on hazardous substance;

This Act contains certain provisions in relation to the restriction of rights and liberties of persons in respect of which, Section 26, in conjunction with Section 34, Section 37 and Section 40 of the Constitution of the Kingdom of Thailand so permit by virtue of law;

Rationale and justification of the restriction of rights and liberties of persons under this Act is for the more efficient control of hazardous substances by including the criteria on transit, re-import, re-export and revising the criteria on hazardous substance advertisement as well as a requirement to the insurers to pay for basic compensation in connection with a salvage, remove, treatment, alleviation or elimination of damages caused by hazardous substances, which would help the hazardous substance business operators run their businesses on the clearer rules and the people receive a fair treatment from the advertisement on hazardous substances while maintaining peace and order or good morals or health protection of the people. The promulgation of this Act has conformed to conditions stipulated in Section 26 of the Constitution of the Kingdom of Thailand.

Section 1 This Act shall be called “The Hazardous Substance Act (No. ...) B.E. ...”

Section 2 This shall come into force after the period of 180 days as from the date of its publication in the Government Gazette has elapsed.

Section 3 Provisions on the definitions of “*Import*” and “*Export*” stipulated in Section 4 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

““Import” means bringing or ordering to bring hazardous substance into the Kingdom

“Export” means sending or undertaking to send hazardous substance out of the Kingdom”

Section 4 Definitions of “*Transit*”, “*Re-import*” and “*Re-export*” shall be included between the definitions of “Export” and “Sale” in Section 4 of the Hazardous Substance Act B.E. 2535 (1992);

““Transit” means bringing or sending hazardous substance via the Kingdom, having points of origin and destination of transportation outside the Kingdom, no matter whether there is discharging or changing of vehicles, and there shall not be any utilizations or actions for commercial benefit of such hazardous substance in the Kingdom.

“Re-import” means bringing hazardous substance having been sending out of the Kingdom back into the Kingdom without any changes on the nature of hazardous substance.

“Re-export” means sending hazardous substance having been bringing into the Kingdom out of the Kingdom without any changes on the nature of the hazardous substance”.

Section 5 Definition of **“Container”** shall be included between the definitions of “Having in possession” and “Label” in Section 4 of the Hazardous Substance Act B.E. 2535 (1992);

““Container” means a closed container having its function for a safely containment of hazardous substance”.

Section 6 Definitions of **“Advertisement”** and **“Message”** shall be included between the definitions of “Label” in Section 4 of the Hazardous Substance Act B.E. 2535 (1992) and “Convention on the Prohibition of Chemical Weapons” in Section 4 of the Hazardous Substance Act B.E. 2535 (1992), amended by the Hazardous Substance Act (No. 2) B.E. 2544 (2001);

““Advertisement” means any activities, regardless of its mean, that make people see or hear or acknowledge a message including information providing, persuasion or any actions by any means to increase the use of hazardous substance for commercial benefit.

“Message” means an activity that becomes noticeable by alphabets, pictures, movies, lights, sounds, signs or any activities that make general people understand the meaning”.

Section 7 Definition of **“Preliminary compensation”** shall be included between the definitions of “Convention on the Prohibition of Chemical Weapons” in Section 4 of the Hazardous Substance Act B.E. 2535 (1992), amended by the Hazardous Substance Act (No. 2) B.E. 2544 (2001) and “Committee” in Section 4 of the Hazardous Substance Act B.E. 2535 (1992);

““Preliminary compensation” means preliminary expenses urgently and necessarily compensating to an injured person of hazardous substance and to salvage, remove, treat, alleviate or eliminate damages caused by hazardous substance to be in their original conditions or closely to their original conditions without waiting for proving of liability”.

Section 8 Provisions in Section 6 and Section 7 of the Hazardous Substance Act B.E. 2535 (1992), amended by the Hazardous Substance Act (No. 3) B.E. 2551 (2008) shall be repealed and replaced with followings:

“Section 6 There shall be a “Hazardous Substance Committee” consisting of;

(1) Minister of Industry as a chairman;

(2) Seventeen ex-officio members consisting of the Permanent Secretaries of Ministry of Agriculture and Cooperatives, Ministry of Energy, Ministry of Public Health, Ministry of Industry; Director-Generals of Department of Land Transportation, Pollution Control Department, Marine Department, Department of Energy Business, Department of Fisheries, Department of Livestock Development, Department of Agriculture, Customs Department, Secretary-General of the Food and Drug Administration; representatives of Ministry of Defense, Department of Foreign Trade, Royal Thai Police and Office of the Atoms for Peace;

(3) The qualified members, not exceeding 8 members, to be appointed by the Minister from knowledgeable, skillful and experienced persons relevant to chemistry, science, engineering, agricultural

science or law, and at least four of them shall be appointed from the qualified persons who are representatives of public benefit organizations with experience in providing protection to health and sanitary, consumers, sustainable agriculture, hazardous substance management in locality or environment.

Director-General of the Department of Industrial Works shall be a member and a secretary. Representatives of the Department of Energy Business, Department of Industrial Works, Department of Agriculture and Food and Drug Administration shall be assistant secretaries.

Appointment of the qualified members shall be complied with the rules, procedures and conditions prescribed by the Minister of Industry.

Section 7 The Committee shall have the powers and duties as follows:

(1) to submit policy and plan on hazardous substance management for approved by the Council of Ministers that shall be complied with by all concerned agencies upon the approval of the Council of Ministers;

(2) to approve the action plan on hazardous substance control and regulatory;

(3) to oversee, expedite, follow up and evaluate the competent offices to be in compliant with (1) and (2);

(4) to consider, decide or give opinions in relation to the powers and duties between the competent offices;

(5) to give recommendations to the Minister of Industry in relation to the issuance of the Notifications under Section 18 paragraph two and Section 36 paragraph one;

(6) to give opinion to the Responsible Minister in relation to the issuance of the notifications under Sections 20, Section 20/1, Section 36 paragraph three, Section 37 paragraph two, Sections 43, Section 44, Section 47(5), Section 51 paragraph two (3) and Section 51/5 paragraph two;

(7) to give recommendations to the competent official in relation to the registration or withdrawal of the registration of hazardous substance;

(8) to give advice or recommendation to the Minister of Industry, the Responsible Minister, the responsible agencies and the competent official on any matters in relation to hazardous substance;

(9) to consider complaints received from a person who is suffered or damaged from hazardous substance;

(10) to establish rules, procedures and conditions for the advertisement according to Section 51/3 (4);

(11) to notify or disseminate information related to hazardous substance to the public, with or without the name of that hazardous substance or name of entrepreneur concerned therewith;

(12) to oversee, advise and expedite the competent official, government agency or state agency having powers and duties in relation to any hazardous substances for the performance of their powers and duties as prescribed by laws;

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(13) to give recommendation to the Minister of Industry for the submission of guideline on hazardous substance control and prevention and remedy for damage arising from hazardous substance to be complied with by any agency of the State to the Council of Ministers;

(14) to submit the report on national hazardous substance situation to the Council of Ministers at least once a year;

(15) to perform any other acts as prescribed by law to be the powers and duties of the Committee.”

Section 9 Provisions prescribed in (4) of Section 18 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

“(4) 4th Category, viz. hazardous substance which its production, import, export, transit or to have it in possession is prohibited”.

Section 10 Provisions prescribed in (1) of Section 20 of the Hazardous Substance Act B.E. 2535 (1992), amended by the Hazardous Substance Act (No. 3) B.E. 2551 (2008) shall be repealed and replaced with followings:

“(1) Prescription of quantity, composition, properties and adulterants, container, examining and testing method for container, label, production, import, export, Customs Houses where the import, export or transit is carried out, sale, transportation, storage, disposal and destruction of hazardous substance, treatment of hazardous substance container, fact reporting, specimen delivery, or any other matters in relation to hazardous substance in order to control, prevent, alleviate or extinguish any danger which may happen to people, animals, plants, property or environment with due regard to international conventions and obligations”.

Section 11 Following provisions shall be added as Section 20/2 and Section 20/3 of the Hazardous Substance Act B.E. 2535 (1992);

“Section 20/2 A person making a transit of 1st or 2nd Category of hazardous substance shall notify the competent official before each transit and after receiving the notification, the competent official shall issue a transit license as an evidence of notification.

A transit operator of 3rd Category of hazardous substance shall get permission from the competent official prior to each transit and after granting permission, the competent official shall issue a transit license as an evidence of permission.

A transit license received from the notification under paragraph one or permission under paragraph two shall be valid according to a period specified in such transit license but shall not exceed forty-five days since its issuance date. A transit operator shall be a juristic person that operates the hazardous substance import and export business that is registered in Thailand.

Hazardous substance requested for a transit shall be brought out of the Kingdom within five days after released from the Customs House where the hazardous substance has entered the Kingdom.

Notification, applying for permission and issuance of a transit license shall be in accordance with

rules, procedures and conditions set forth by the competent office with recommendation of the Committee, which is published in the Government Gazette, and which shall at least have a prescription requiring an insurance to be made for any expenses that may occur from a destruction or treatment of hazardous substance under Section 52, Section 52/2 and Section 88.

A transit operator of 1st, 2nd or 3rd Category of hazardous substance under paragraph one or paragraph two shall comply with the Notifications of the Responsible Minister issued under Section 20(1) (1/1) and (2).

Section 20/3 In case where it is necessary to re-import or re-export of 1st, 2nd or 3rd Category of hazardous substance, which have already been complied with Sections 21, Section 22 or Section 23, the competent official shall have the power to order a relaxation of compliance to such Sections. Such relaxation shall comply with rules, procedures and conditions set forth by the competent office with recommendation of the Committee, which is published in the Government Gazette.”

Section 12 Provisions in Section 44 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

“Section 44 When it deems necessary, the Responsible Minister shall, with recommendation of the Committee, have the power to issue the notifications the exemption of the following hazardous substances from being complied with this Act, wholly or partly, according to the prescribed rules, procedures and conditions:

(1) hazardous substance that its nature or quantity may cause modest harm or the enforcement of various measures under this Act to such hazardous substance may cause undue burden;

(2) hazardous substance that its purpose of use is for study, testing, analysis, research and development;

(3) hazardous substance belonged to ministries, sub-ministries, departments, local administrations, state enterprises, state organizations, The Thai Red Cross Society or other agencies to be determined as appropriate.”

Section 13 Provisions in Section 51 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

“Section 51 Advertisement of hazardous substance shall not contain message that is not fair to other persons or that may cause negative effects to the society as a whole, regardless of whether such message relates to hazardous substance origin, nature, quality, characteristic or utilization.

Following message shall be considered as unfair or likely to cause negative effects to the society as a whole:

(1) false or exaggerated message;

(2) message that may lead to a misunderstanding of the essence information of hazardous substance regardless of whether they are cited from academic reports, statistics or any things that are not true or exaggerated;

(3) other message prescribed by the Responsible Minister with recommendation of the Committee.”

Section 14 Following provisions shall be added as Sections 51/1, 51/2, 51/3, 51/4, 51/5, 51/6 and 51/7 of the Hazardous Substance Act B.E. 2535 (1992):

“Section 51/1 Advertisement shall not be carried out by methods that may be harmful to physical or mental health or that are against a good moral of the people or that may cause nuisance to other persons.

Section 51/2 When it deems necessary to prevent dangers that may occur to persons, animals, plants, assets or environment from any advertisements of hazardous substance, the competent office, with recommendation of the Committee, shall have the power to publish in the Government Gazette the rules, procedures and conditions for such hazardous substance on the following subjects:

(1) advertisement of hazardous substance that shall be carried out with a recommendation or warning on how to use or a danger of the hazardous substance;

(2) restriction of advertising media for hazardous substance;

(3) prohibition of advertisement of hazardous substance

Section 51/3 In case where the competent office considers that any advertisement is carried out against Sections 51, 51/1 or against or fails to comply with Section 51/2, the competent office shall have the power to order producers, importers, persons having hazardous substance in possession or advertisers of hazardous substance to perform as follows:

(1) to revise the advertising message or methods;

(2) to prohibit the use of some certain messages in the advertisement;

(3) to ban the advertisement or such advertising methods;

(4) to place the advertisement to correct any misunderstandings that may occur in accordance with rules, procedures and conditions set forth by the Committee.

In issuing the order according to (4), the competent office shall comply with rules, procedures and conditions set forth by the Committee considering consumers’ benefit and trustfulness of the hazardous substance producers, importers, persons having hazardous substance in possession or advertisers.

Section 51/4 In case where the competent office has a reasonable reason to suspect that any advertising message is false or exaggerated according to Section 51 paragraph two (1), the competent office shall have the power to order the hazardous substance producers, importers, persons having hazardous substance in possession or advertisers to prove them true.

In case where hazardous substance producers, importers, persons having hazardous substance in possession or advertisers have cited academic reports, researches, statistics, accreditations by any institutions or persons or have firmly claimed any facts used in the advertisement, if the hazardous substance producers, importers, persons having hazardous substance in possession or advertisers cannot

prove that the advertising message is true as claimed, the competent office shall have the power to issue the order under Section 51/3.

Section 51/5 Any hazardous substance producers, importers, persons having hazardous substance in possession or advertisers who has doubted that their advertisement would against or not comply with this Act may make a request to the competent office to consider and give opinions on such matter before advertising. In this regard, the competent office shall give opinions and notify persons who made the request within sixty days since receiving the request.

A request for opinions and a service charge for giving opinions under paragraph one shall be in pursuant to rules, procedures and conditions announced by the Responsible Minister with recommendation of the Committee. The service charge shall be remitted to the Ministry of Finance as state revenue.

Opinions given by the competent office under paragraph one shall not be deemed as a deprivation of power of the competent office when a reconsideration and new decision shall be made when there is reasonable ground.

Any acts that were conducted according to the opinions of the competent office under paragraph one and paragraph three, as long as they were honestly conducted, shall not be deemed as criminal offences.

Section 51/6 In case where a person whom has been ordered by the competent office under Sections 51/3 or 51/4 disagrees with such order, such person shall have the right to file an appeal in writing to the Responsible Minister within thirty days since receiving the order.

The ruling of the Minister shall be final.

The appeal under paragraph one shall not defer the enforcement made by the order of the competent office.

Section 51/7 In considering the appeal according to Section 51/6, the Responsible Minister shall complete the consideration within ninety days since receiving the appeal. If there are any reasons that the appeal cannot be completed within such period, there shall be notified in writing to the appellant before such period is due, where, in this regard, the appeal can be extended to not exceeding ninety days since the end of such appeal period."

Section 15 Provisions in Section 52 of the Hazardous Substance Act B.E. 2535 (1992), amended by the Hazardous Substance Act (No. 3) B.E. 2551 (2008) shall be repealed and replaced with followings:

Section 52 When it appears to the competent official that any producers, importers, exporters, transit operators, re-importers, re-exporters or persons having hazardous substance in possession of hazardous substance have violated to or failed to comply with this Act, the competent official shall have the power to stop the violations or correct or improve the acts until they are duly complied. In this respect, if there are any reasonable grounds, the competent official may order such person to return by exporting such hazardous substance to the producers or suppliers of such hazardous substance or do

otherwise as appropriate under rules, procedures and conditions specified by the competent official with recommendation by the Committee.”

Section 16 Provisions in paragraph two of Section 52 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

“In a case under paragraph one, if the producers, importers, exporters, transit operators, re-importers, re-exporters or persons having hazardous substance in possession are unable to act correctly whether on account of incapability or otherwise, the competent official, with due regard to harm that such hazardous substance may cause, shall have the power to order that person to submit such hazardous substance to the competent official at the specified place for the purpose of destruction or any appropriate treatment.

Section 17 Following provisions shall be added as Section 52/2 of the Hazardous Substance Act B.E. 2535 (1992):

“Section 52/2 If it appears to the competent office that hazardous substance having been imported or transited in violation to or with failure to comply with this Act and that its storage or sale may be harmful to persons, animals, plants and environment, therefore a destruction or treatment shall not be carried out in the Kingdom, the competent office shall take samples of hazardous substance, in necessary amount for being used as evidence in a legal action, and such competent office shall order the importer or transit operator to urgently send such hazardous substance out of the Kingdom.

Executions under paragraph one shall be carried out in accordance with rules, procedures and conditions prescribed by the competent office with recommendation by the Committee.

In case where there are expenses arising from the executions under paragraph one, the importer or transit operator shall pay for such executions. In determining expenses, it shall be complied with rules, procedures and conditions prescribed by the competent office.

Section 18 Provisions in Section 63 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

“Section 63 Producers, importers, exporters, transit operators, re-importers, re-exporters or persons having hazardous substance in possession shall be liable for damages arising from hazardous substance in their possession, except where they can prove that such damage caused by force majeure or by fault of the injured person.”

Section 19 Provisions in Section 66 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced with followings:

“Section 66 Producers, importers, wholesalers, transit operators, re-importers, re-exporters, retailers, middlemen and persons taking part in any stage of distribution from the producers to the liable persons while the wrongful act under section 63 or section 64 occurs, shall also be jointly liable for the consequences of the wrongful act.”

Section 20 Following provisions shall be included as Section 69/1 of Chapter 3 Duties and Civil Liabilities of the Hazardous Substance Act B.E. 2535 (1992):

“Section 69/1 In a case where the hazardous substance causes damage to persons, animals, plants or environment and the insurance according to Section 20 (1/1) has been made, the insurer shall pay a preliminary compensation to an injured person of hazardous substance and to state organization or private organization authorized by state organization to salvage, remove, treat, alleviate or eliminate the damages.

Amount of preliminary compensation, collection of preliminary compensation and payment of preliminary compensation under paragraph one shall be made in accordance with rules, procedures and conditions prescribed in the Ministerial Regulations.

Preliminary compensation received by state organization from the insurer for salvaging, removal, treatment, alleviation or elimination of damages shall not be remitted to the Ministry of Finance as state revenue.

Preliminary compensation under paragraph three shall be considered as a part of compensation according to Section 69 and shall not deprive the right of the public prosecutor in proceeding a legal action for additional compensation.

After the insurer has already paid a preliminary compensation in any amount, such insurer shall have the right to recourse against the person who caused the damages”.

Section 21 Following provisions shall be included as Section 70/2 of the Hazardous Substance Act B.E. 2535 (1992):

“Section 70/2 Any person who makes a transit of 1st Category of hazardous substance and fails to comply with Section 20/2 paragraph one or paragraph six shall be liable to an imprisonment for a term of not exceeding six months or to a fine of not exceeding fifty thousand baht, or to both.

Any person who makes a transit of 2nd Category of hazardous substance and fails to comply with Section 20/2 paragraph one or paragraph six shall be liable to an imprisonment for a term of not exceeding one year or to a fine of not exceeding one hundred thousand baht, or to both.

Any person who makes a transit of 3rd Category of hazardous substance and fails to comply with Section 20/2 paragraph one or paragraph six shall be liable to an imprisonment for a term of not exceeding two years or to a fine of not exceeding two hundred thousand baht, or to both.

Any person who makes a transit of 4th Category of hazardous substance and fails to comply with Section 20/2 paragraph one or paragraph six shall be liable to an imprisonment for a term of not exceeding ten years or to a fine of not exceeding one million baht, or to both”.

Section 22 Following provisions shall be included as Section 74/3 of the Hazardous Substance Act B.E. 2535 (1992):

“Section 74/3 Any person who fails to comply with the conditions prescribed by the Responsible Minister under Section 44 (2) for 1st Category or 2nd Category of hazardous substance shall be liable to a fine of not exceeding ten thousand baht.

Any person who fails to comply with the conditions prescribed by the Responsible Minister under Section 44 (2) for 3rd Category of hazardous substance shall be liable to an imprisonment for a term of not exceeding three months or to a fine of not exceeding thirty thousand baht, or to both.

Any person who fails to comply with the conditions prescribed by the Responsible Minister under Section 44 (2) for 4th Category of hazardous substance shall be liable to an imprisonment for a term of not exceeding six months or to a fine of not exceeding fifty thousand baht, or to both”.

Section 23 Provisions prescribed in Section 80 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced as followings:

“Section 80 If the violation under Sections 75, 76, 77 relates to 1st Category of hazardous substance, the violator shall be punished by one-half of the penalty prescribed in those Sections”.

Section 24 Following provisions shall be included as Sections 84/1, 84/2 and 84/3 of the Hazardous Substance Act B.E. 2535 (1992):

“Section 84/1 Any person making an advertisement that is not complied with Sections 51 or fails to comply with Section 51/1 shall be liable to an imprisonment for a term of not exceeding six months or to a fine of not exceeding fifty thousand baht, or to both.

Section 84/2 Any person who violates or fails to comply with Section 51/2 shall be liable to an imprisonment for a term of not exceeding six months or to a fine of not exceeding fifty thousand baht, or to both.

Section 84/3 Any person who violates or fails to comply with the order of the competent office according to Section 51/3 shall be liable to an imprisonment for a term of not exceeding one year or to a fine of not exceeding one hundred thousand baht, or to both”.

Section 25 Provisions prescribed in Section 80 of the Hazardous Substance Act B.E. 2535 (1992) shall be repealed and replaced as followings:

“Section 88 Any hazardous substance produced, imported, exported, transited, re-imported, re-exported or possessed in violation of this Act, its container, relevant tools and accessories or any property confiscated by judgement of a Court shall be delivered to the government agency responsible for the control of such hazardous substance for destruction or treatment in any way it deems fit.

In case of destruction or treatment as deems fit, the Court shall include in its judgement ordering the owner thereof to pay all expenses incurred to the authority”.

Section 26 Provisions prescribed in paragraph one of Section 89 of the Hazardous Substance Act B.E. 2535 (1992), amended by the Hazardous Substance Act (No. 3) B.E. 2551 (2008) shall be repealed and replaced as followings:

“Section 89 All of the offences under this Act punishable only by a fine or by imprisonment for a term of not exceeding one year, except the offences under Section 74 paragraph two, the Committee shall have the power to settle the matter and if the offender pays the fine for settlement within thirty days as from the date the offender has been informed, the case shall be deemed settled in accordance with the Criminal Procedure Code”.

Section 27 Following provisions shall be included as (12) of the Rate of Fees annexed to the Hazardous Substance Act B.E. 2535 (1992):

“(12) Transit license, each 20,000 Baht”

Section 28 The qualified members who have held office before the effective date of this Act shall be the qualified members under the Hazardous Substance Act B.E. 2535, amended by this Act until the end of their office term.

Section 29 Complaint cases submitted and pending for consideration before the effective date of this Act shall also be under the power of the Hazardous Substance Committee under the Hazardous Substance Act B.E. 2535 amended by this Act.

Section 30 Receipt of notification of 2nd Category of hazardous substance and import license of 3rd Category of hazardous substance issued under the Hazardous Substance Act B.E. 2535 before the effective date of this Act with a purpose of a transit of hazardous substance shall be considered as a transit license under Section 20/2 of the Hazardous Substance Act B.E. 2535 amended by this Act until the receipt of notification or the import license, as the case maybe, is expired.

Applications for import notification of 2nd Category of hazardous substance and import license of 3rd Category of hazardous substance having a purpose of a transit of hazardous substance submitted under the Hazardous Substance Act B.E. 2535 before the effective date of this Act that are under consideration process shall be considered as the applications for import notification of 2nd Category of hazardous substance and import license of 3rd Category of hazardous substance according to Section 20/2 of the Hazardous Substance Act B.E. 2535 amended by this Act mutatis mutandis. Any applications that are different from the rules prescribed under this Act, the competent official shall have the power to order the applicant to perform in compliance with this Act.

Section 31 All ministerial regulations or notifications issued under the Hazardous Substance Act B.E. 2535 before the effective date of this Act shall remain in force in so far as they are not contrary to or inconsistent with the provisions of the Hazardous Substance Act B.E. 2535 amended by this Act until ministerial regulations or notifications issued under the Hazardous Substance Act B.E. 2535 amended by this Act are issued to be in force.

Issuance of ministerial regulations or notifications under paragraph one shall be completed within one hundred and eighty days from the enforcement date of this Act. In case of a failure to issue the ministerial regulations or notifications within such period, the Responsible Minister shall report reasons of such failure to the Council of the Ministers.

Section 32 Minister of Industry shall be in charge of the executions of this Act.
