



Roundtable on Sustainable Palm Oil

RSPO Principles and Criteria for Sustainable Palm Oil The Thai National Interpretation for Smallholders

**Guidance and Indicators for Independent Smallholders
Under Group Certification**

Approved by Executive Board of RSPO on 9 October 2012

Preamble

The Thai Task Force for Smallholders has developed this document, including Indicators and Guidance for Smallholders under Group Certification, in a transparent and consultative process. Stakeholders throughout the country in particular the smallholders in the oil palm growing areas participated in this process. Consequently, the Thai National Interpretation Working Group (TH-NIWG) has finalized the draft document by taking into consideration all valuable comments and recommendations from interested groups and stakeholders to achieve the effective development and maximum benefits for the Thai palm oil industry.

This draft document is based on and refers to 3 documents, namely the Thai National Interpretation of the Principles and Criteria for Sustainable Palm Oil (dated 22 September 2009), the RSPO generic guidance for Independent Smallholder under Group Certification (dated 19 June, 2010) and the RSPO Standard for Group Certification dated 26 August 2010.

The categorization into Major and Minor indicators has been decided by the Thai Task Force for Smallholders (TH-TFS) and approved by the TH-NIWG on the RSPO Principles and Criteria for Sustainable Palm Oil.

At present, 96 percent of total oil palm growers in Thailand are smallholders. Together they account for 76 percent of the total area planted with oil palm in Thailand. This shows that smallholders play a crucial role in the production and the development of the oil palm and palm oil sector. Sustainable development in terms of economic viability, social responsibility and environmental friendliness is of great importance for oil palm smallholders and crucial for their farm incomes and their quality of life.

It is already known that the recent expansion of new oil palm plantings is in response to the government policy on bioenergy and the rising demand for the direct consumption of vegetable oils. One driving force for expansion is the higher economic return provided by oil palm cultivation in comparison to other cash crops. This encourages smallholders to diversify their original land use and convert from other less favorable cash crops such as paddy fields, rubber plantations, orchards etc. to oil palm. Additionally also smallholders aim for the acquisition of more land to engage in or expand agriculture activities for their livelihoods. This development occurs at the local community level and such expansion is targeting at degraded lands and abandoned waste lands, which are made available by the relevant local government agencies through the transfer of land use rights.

The definition of smallholders within the Thai National Interpretation for Smallholders for sustainable oil palm production is developed in accordance with the National Interpretation on RSPO P&C Standard and RSPO Smallholders under Group Certification. The TH-NIWG agreed on defining “*smallholders*” as “*oil palm growers who possess planting areas of oil palm of less than 50 hectares (312.5 rais) in total.*”

Access to group certification is also possible for medium growers who have land holdings larger than 50 hectares but who do not own a mill and thus produce fresh fruit bunches and not palm oil.

They can become members of farmer groups under the RSPO Standard for Group Certification if they wish and participate in the group management for group certification. The organization and management of farmer groups for RSPO certification is voluntary and based on the commitment of farmers of any category aiming for certification to RSPO. This should be in line with the objectives of the Group in order to be prepared for group certification by any certification body authorized under RSPO requirements to audit the relevant standards. The group structure and organization is to be set up in a way to meet the goals of sustainable oil palm and palm oil production. In general, the group member's certified produce shall be in the form of Fresh Fruit Bunch (FFB). However, the produce of groups which are organized by a RSPO certified palm oil crushing mill will be certified under the respective oil mill and the certified product shall be palm oil and its products.

There are many stand alone mills (oil palm crushing mills which do not own any oil palm plantations) operating in the oil palm growing areas throughout Thailand. The TH-NIWG is of the opinion that those stand alone mills will play a vital role in the supply chain of palm oil by purchasing the raw material for oil palm production, also from smallholders and potentially from group members aiming for RSPO group certification. They can take the role of a middle man for organizing groups to achieve RSPO certification as well as to supply farm inputs for reasonable prices. They can also contribute in assuring that fair FFB prices according to the produce quality and oil content are paid to their group members.

However, the stand alone mills aiming to participate in RSPO certification must comply with the RSPO Supply Chain Certification System requirements. They are thereby in the position to convert the certified FFB into certified palm oil and its products in accordance with the Supply Chain Certification models offered by RSPO, namely, Identity Preserves (IP), Segregation (SG) and Mass Balance (MB).

TH-NIWG does hope that this Thai National Interpretation for Smallholders requirements will be implemented with the full participation of all stakeholders to achieve the sustainability, economic viability, social responsibility and environmental friendliness in the oil palm and palm oil industry in Thailand.

Thai National Interpretation Working Group on Indicators and Guidance
7 June, 2011

Principle 1: Commitment to transparency

Criterion 1.1

Oil palm growers and mills provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation in decision making.

Major Indicators:

1.1.1 Records of requests and responses to be kept and maintained for a specified and appropriate duration

Guidance for group managers:

- Requests and responses to group members and relevant stakeholders are handled in a prompt and constructive manner.
- Keep records of such requests and responses of the Group by taking into account the relevant documents according to Criteria 1.2 and 6.3.
- Maintain records of such requests and responses for a specified duration as deemed necessary and appropriate.
- Make the group management documentation including simplified training materials of C. 2.1 and 8.1 available upon request by group members.

Criterion 1.2

Management documents are publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.

Major Indicator:

1.2.1 Group management documents related to environmental, social and legal issues must be prepared and made publicly available. These, at least, include the following documents:

- Legal land titles or land use rights;
- Agreement between group manager and members.

Guidance for group managers:

- Share information and explain the relevant RSPO standards for Sustainable Oil Palm Production as set out in this document to group members.
- Get information or obtain proof of land-use rights from group members or evidence indicating their land-use rights are not claimed and contested by local communities and persons whose land use rights have been lost or terminated.
- Establish an agreement and provide a copy of such group agreement (mutually agreed) to members or place the agreement at the group manager unit.
- Make the group management documentation available upon request by group members.
- In case where there are additional management documents (e.g. marketing related document, pricing of fresh fruit bunch (FFB), purchasing of farm inputs, good agricultural practices for oil palm and relevant legal documents on environment and social etc.), these documents should be made available for all group members.

Principle 2: Compliance with applicable laws and regulations

Criterion 2.1

There is compliance with all applicable local, national and ratified international laws and regulations.

Major Indicator:

2.1.1 Evidence of compliance with the laws and regulations which are relevant and significant for oil palm production

Guidance for group managers:

- Ensure that group members abide to the relevant and significant laws and regulations such as the use of legally registered pesticides.
- Monitor the group member to check their compliance with any relevant law and regulation.
- Hold a list of relevant, significant and up-to-date laws and regulations such as the Hazardous Substances Act, the Agricultural Standards Act, the Regulations Governing Land Tenure or Land-use Right, the Oil Palm Bunch Notification of the Ministry of Agriculture and Cooperatives, etc.

Note:

- *In case where there is a conflict in compliance with land law stipulated before the approval of Thai RSPO Principles and Criteria, such piece of land can be set aside from certification.*

Criterion 2.2

The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.

Major Indicator:

2.2.1 Documents or evidence showing legal land ownership or lease, land-use rights, history of land tenures or actual land uses and customary rights or that the right to use the land is accepted without any legitimate claims and contests by local communities.

Guidance for group managers:

- Have maps, farm layouts or other evidence showing legal land ownership or land lease, land-use rights, history of land tenure or actual land uses held by group members.

- Must ensure that the lands are not claimed or contested by third parties or local communities and there is no violation of customary rights.
- In case where there are or have been disputes, group managers should provide a proof of resolution or progress towards resolution in accordance with the conflict resolution processes (Criteria 6.3 and 6.4) accepted by the relevant parties. In addition, group managers should provide proof of the legal acquisition of the land title and that fair compensation has been made to previous owners and occupants with free prior and informed consent.

Criterion 2.3

Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.

Major Indicator:

2.3.1 Farm layouts showing the boundary of legal land rights or the extent of recognized customary rights which are agreed upon in a participatory manner (including criteria 7.5 and 7.6).

Guidance for group managers:

- Collect farm layouts from individual members and establish a common farm layout for all.
- In case where land acquisition is either obtained from legal or customary rights, there must be documentary proof of land holding rights such as: transfer of land rights, purchase of land payment or any other agreed compensation based on the details of a negotiated agreement reached by consent.

Principle 3: Commitment to long-term economic and financial viability

Criterion 3.1

There is an implemented management plan that aims to achieve long-term economic and financial viability.

Major Indicator:

3.1.1 An annual budgetary plan of the group

Minor Indicator:

3.1.2 When the need for replanting becomes apparent, this should be included in the budgetary plan of the group in an appropriate and timely manner

Guidance for group managers:

- Estimate an annual budgetary plan showing the economic benefits for the group.
- Set out plans for accepting new prospective members or expanding the plantation areas of group members.
- Provide a forum for members to develop the annual group budgetary plan in a participatory manner.
- Group members should propose their annual plans for replanting to the group managers.

Principle 4: Use of appropriate best practices by growers and millers

Criterion 4.1

Operating procedures are appropriately documented and consistently implemented and monitored.

Major Indicator:

4.1.1 Documents on management practices in key activities of oil palm farming are established

Minor Indicator

4.1.2 Evidence of implementing management practices in key activities of oil palm farming

Guidance for group managers:

- Develop or make available documents on management practices in key activities of oil palm farming.
- Monitor the implementation of management practices by group members in key activities of oil palm farming.
- Provide trainings to group members in order to review and enhance knowledge in accordance with Criterion 4.8
- Provide trainings to group members how to keep records of farm activities.

Criterion 4.2

Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.

Minor Indicator:

4.2.1 Records of fertilizer usage or evidence of soil fertility maintenance.

4.2.2 Records of annual FFB harvest.

Guidance for group managers:

- Provide trainings to group members to explain the importance of best practices for soil fertility maintenance such as frond sampling for nutrient analysis etc. (see Criteria 4.8) .
- Monitor the implementation of soil fertility maintenance measures with group members such as the application of fertilizer, frond lining techniques and the use of leguminous cover crops, etc.
- Group members should take good agricultural practices for oil palm production into consideration.

Remark: Due to the limited availability of laboratory for tissue analysis in the area, group manager should take into consideration of the frond tissue sampling where necessary and applicable.

Criterion 4.3

Practices minimize and control erosion and degradation of soils.

Major Indicator:

4.3.1 Evidence of management practices of oil palm farming to minimize and control erosion and degradation of soils (by considering the specific topographic and climate conditions).

Minor Indicator:

4.3.2 The establishment of terracing practices or other efforts in planting oil palm on slope lands during or prior to replanting.

Guidance for group managers:

- Provide training to group members on soil erosion control techniques (see C. 4.8) and monitor the implementation.
- Evidence on the implementation of soil erosion and degradation control techniques by group members, for example:
 - Terracing practices or other methods during or prior to replanting on slope lands
 - Covering soils during the early stage of oil palm plantings

Criterion 4.4

Practices maintain the quality and availability of surface and ground water.

Major Indicator:

4.4.1 Evidence of efforts to reduce the run-off of chemicals to natural water courses including the maintenance of natural water courses to avoid contamination.

Guidance for group managers:

- Provide recommendations or knowledge to group members on maintaining the quality and availability of water resources and monitor the implementation.

- Evidence of implementation by group members on maintaining the quality and availability of water resources which may include:
 - Avoiding the contamination of water resources from run-off of soil, nutrients or pesticides.
- Sustaining and restoring wetlands including natural water courses and riparian buffer zones for example by planting grass and maintaining natural vegetation.
- In case of replanting, group members should maintain natural vegetation and/or plant appropriate crops to maintain riparian buffer zones and to avoid the run-offs of soil, nutrients or pesticides.

Criterion 4.5

Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.

Minor Indicator:

4.5.1 An Integrated Pest Management (IPM) Plan or Documented IPM for oil palm farming exists and is implemented

Guidance for group managers:

- Should provide knowledge to group members for a better understanding of IPM techniques (incorporating cultural, biological, mechanical or physical methods – see Criterion 4.8) to minimize the use of pesticides.
- Either plan or technical documents on IPM should be kept at group manager unit.
- Monitor the implementation of IPM techniques by group members. In all cases, members should demonstrate evidence on how to bring IPM techniques into practice, for example the introduction of biological methods like planting host plants, i.e. coral vine (*Antigonon leptopus* Hook) and sage rose (*Turnera ulmifolia* L.) for predator insects to control leaf eating caterpillars.

Criterion 4.6

Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national best practice guidelines. Where agrochemicals are used that are categorized as World Health Organization Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented.

Major Indicator:

4.6.1 The pesticides used are legally registered pesticides in accordance with the Hazardous Substances Act B.E. 2535 (1992) and its amendments

Minor Indicator

4.6.2 Records of chemical pesticide use

4.6.3 Proper and safe storage of pesticides

Guidance for group managers:

- Provide knowledge to group members in pesticide use (see Criterion 4.8), in particular the prudent use of pesticides for the following issues:
 - Pesticides applied in accordance with the product label under the Hazardous Substances Act B.E. 2535 (1992) and its amendments.
 - Equipment and tools including Personal Protective Equipment (PPE) acquired, used and stored appropriately and safely.
 - Pesticide hazard in accordance with the Hazardous Substances Act B.E. 2535 (1992) and its amendments.
 - Procedures for disposal of surplus pesticides and their containers securely and safely.
 - Prohibition of pesticide spraying by pregnant and breast-feeding women, and children
- Should encourage group members to record the use of pesticides. In case where group members hire service provider/contractor for pesticide application, members must be responsible to record the use of such pesticides as well.
- Consider to recommend group members, employees or farm workers (if any) including service providers/contractors who handle or use pesticides to conduct regular health screenings.
- Provide a list of pesticides used by all members and which are in accordance with the Hazardous Substances Act B.E. 2535 (1992) and its amendments.

Criterion 4.7

An occupational health and safety plan is documented, effectively communicated and implemented.

Major Indicator:

4.7.1 An occupational health and safety policy of the group and monitoring the implementation by group members.

Minor Indicator:

4.7.2 Records of accidents related to work.

Guidance for group managers:

- Must lay down a policy on occupational health and safety of the group.
- Provide procedures for emergency cases and major risky activities.

- Provide knowledge and raise awareness on working practices in major risky activities for group members such as leaf trimming and weeding etc. (see Criterion 4.8).
- Encourage group members to record any occupational accidents and injuries.

Criterion 4.8

All staff, workers, smallholders and contractors are appropriately trained.

Major Indicator:

4.8.1 Training program and records on trainings received by farm workers and group members

Guidance for group managers:

- Group managers must raise awareness on relevant issues, identify training needs and provide such training to group members on request.
- Should create opportunities for group members to exchange knowledge and experiences related to best oil palm management ,for example, visiting farms where best practices are successfully applied.
- Areas for training of group members should include:
 - The functioning of groups and the responsibilities of group members.
 - The relevance of the RSPO standard
 - Legal compliance (see Criterion 2.1)
 - Operating procedures (see Criterion 4.1)
 - Soil and water management (see Criteria 4.2, 4.3 & 4.4)
 - Integrated Pest Management (see Criterion 4.5)
 - Agrochemical use (see Criteria 4.2 & 4.6)
 - Occupational Health and Safety (see Criterion 4.7)
 - Use of fire and relevant regulations (see Criterion 5.5)

Principle 5: Environmental responsibility and conservation of natural resources and biodiversity

Criterion 5.1

Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.

Major Indicator:

5.1.1 An appropriate and documented environmental impact assessment.

Guidance for group managers:

- Group managers must undertake and document an environmental impact assessment developed with the participation of group members and local communities. This impact assessment includes all the group smallholdings and sets out appropriate actions to address each impact identified when:
 - Replanting or expanding smallholdings.
 - Clearing remaining natural vegetation and given the need to avoid the use of fire (see Criterion 5.5).

Criterion 5.2

The status of rare, threatened or endangered species and high conservation value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.

Major Indicator

5.2.1 A list of Rare, Threaten and Endanger Species (RTEs) and High Conservation Value (HCV) habitats within the boundaries of the oil palm plantations of the group and in the surrounding areas.

Guidance for group managers:

- Collect information related to the critical status according to the list of Rare, Threaten and Endanger Species and High Conservation Value habitats existing in the group boundaries and adjacent areas.
- Such information should be provided to the group members in order to raise conservation awareness. This should cover:
 - Presence of protected areas that may be significantly affected by smallholdings of the group members.
 - Legal protection, population status, habitat requirements and conservation status of Rare, Threaten and Endanger Species e.g. referring to the International Union for Conservation of Nature (IUCN)

and local wisdom that may be significantly affected by smallholdings of the group members.

- Information on High Conservation Value habitats, such as rare and threaten ecosystems that may be significantly affected by smallholdings of the group members.
- In case where Rare, Threaten and Endanger Species and High Conservation Value habitats are present in the boundaries of the group, group manager should provide appropriate protective measures and knowledge to the group members. Such measures must be responsibly adopted and implemented by members and the group as a whole.

Criterion 5.3

Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.

Major Indicator:

5.3.1 An appropriate and safe management of pesticide containers and other hazardous agrochemicals.

Guidance for group managers:

- Must ensure that group members are made aware of the effort to dispose of pesticide containers and other hazardous agrochemicals in a responsible manner.
- Provide knowledge to group member on the disposal of hazardous pesticides and their containers including other surplus chemical containers appropriately and safely. The disposal or cleaning instructions on product's label should be adhered to or any manner showing the responsibility against environment and social, such as using the triple rinse method, in such a way that there is no risk of contamination of water sources or to human health.

Criterion 5.4

Efficiency of energy use and use of renewable energy is maximized.

Indicator:

5.4.1 Not applicable to group smallholders

Guidance for group managers:

- Group members are not obliged to this criterion, however members should take into consideration the energy saving and the most efficient use of energy.

Criterion 5.5

Use of fire for waste disposal and for preparing land for replanting is avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice.

Major Indicator:

5.5.1 In the case where fire is used for land preparation for oil palm replanting, a documented impact assessment must be conducted

Guidance on Group manager:

- Shall ensure that group members do not utilize fire for land preparation for oil palm replanting. This is the responsibility of group managers to monitor and oversee.
- Fire should be used only where an assessment has demonstrated that it is the most effective method and least environmentally damaging option, for minimizing the risk of severe pest and disease outbreaks during replanting.

Criterion 5.6

Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.

Indicator:

5.4.2 Not applicable to group smallholders.

Guidance for group managers:

- Group members are not obliged to this criterion.

Principle 6: Responsible consideration of employees and of individuals and communities affected by growers and mills

Criterion 6.1

Aspects of plantation and mill management, including replanting, that have social impacts are identified in a participatory way, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.

Major Indicator:

6.1.1 Records or evidence of a consultative meeting to assess social impacts conducted with the affected stakeholders

Guidance for group managers:

- Group managers must demonstrate that group members and affected stakeholders jointly conducted a simplified social impact assessment.
- Group managers must provide the following documents:
 - A documented simplified social impact assessment.
 - Records or evidence showing that the simplified social impact assessment has been conducted with the participation of group members, representatives from local communities and other stakeholders
 - Action plan resulting from the impact assessment showing timetable and responsible person related to mitigation, monitoring, reviewing and updating as necessary.

Criterion 6.2

There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.

Major Indicator:

6.2.1 Procedures on consultation and communication

Minor Indicator

6.2.2 Records of communication and response to the recommendations from stakeholders

Guidance for group managers:

- Must have documentary evidence showing that they have operating procedures for consultation to and communications with group members and local communities.

- Must designate a responsible person for social issues.
- Should maintain the list of stakeholders

Criterion 6.3

There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.

Major Indicator:

6.3.1 An established mechanism for dealing with complaints and grievances open to affected stakeholders.

Minor Indicator

6.3.2 Evidence showing the dispute resolution process and outcome

Guidance for group managers:

- Must prepare documented procedures for dealing with complaints and grievances in an effective, timely and appropriate manner. Such procedures must be established through consensual agreement with the group members.
- Documents showing the dispute resolution process and outcome which are accessible by any affected party.

Criterion 6.4

Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

Major Indicator

6.4.1 Evidence of compensation to eligible persons according to legal and customary rights

Minor Indicator

6.4.2 The process on achieving the result of negotiated agreements including any compensation requests is open to the public

Guidance for group managers:

In case where there are persons eligible for compensation according to legal and customary rights, group managers must demonstrate that acquisition of landholdings by group members has been legal or in accordance with customary principles. In this context the following elements should be included:

- The establishment of a procedure to identify eligible persons for compensation in accordance with legal and customary rights.
- The establishment of a procedure to calculate and distribute a fair compensation (monetary or otherwise). This has to be brought into practice.
- The abovementioned procedures should take into account the following issues:
 - Gender differences in the power to claim rights
 - Ownership and access to land
 - Differences of trans-migrant and long-established communities
 - Differences in ethnic groups' proof of legal versus communal ownership of land
- Compensation should be in line with fair market value or replacement cost.
- Group managers should take this criterion into consideration in conjunction with Criterion 2.3 and the related guidance as well.

Criterion 6.5

Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.

Major Indicator

6.5.1 Evidence of wage payment.

Guidance for group managers:

- Must ensure that workers employed to service group members enjoy the rights, conditions and protections stipulated by laws and regulations.
- In case of temporarily hired workers, the conditions of employment and wage rates should be mutually agreed between group members and workers. The agreement may be either verbal or written and must be accepted with transparency and freedom of choice.
- Group members must provide appropriate basic facilities to workers and service providers/contractors as deemed necessary.

Criterion 6.6

The employer respects the right of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.

Indicator:

6.6. Not applicable to group smallholders.

Guidance for group managers:

- Group members are not obliged to this criterion.

Criterion 6.7

Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programs. Children are not exposed to hazardous working conditions.

Major Indicator:

6.7.1 Evidence showing that child labor is not used as stipulated in the laws and regulations

Guidance for group managers:

- Must provide trainings to group members to understand the requirements of national labor law.
- Must ensure that group members are able to show evidence that child labor is not used, e.g. national citizen identification, birth certificate, etc.
- Work by children on family smallholdings is only acceptable under supervision of adults and given that the work does not interfere with their education programs as stipulated by national labor law.

Additional information on child labor

- In case of hiring labor in the agricultural sector, employers may hire children aged 13-15 years during school holidays or after school hours. The work shall not be harmful to their health and shall not have negative impacts on their childhood development and quality of life. In addition, such work must be permitted by their parents or guardians in accordance with the Ministerial Order on agricultural labor protection B.E. 2547 (2003) section 8
- Children under 13 years of age may accompany and assist in agricultural work under supervision of their parents or family adults in agriculture. The work shall not be harmful to their health or shall not have negative impacts on their childhood development and quality of life.

***Note:** Thai culture in the rural area, in this case, children accompany their adult family members to the workplace. In the actual practices, children are not employed or assigned for works by the employer.*

Criterion 6.8

Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age is prohibited.

Major Indicator:

6.8.1 A publicly available equal opportunities policy for workers

Guidance for group managers:

- Must lay down group policy on equal opportunities for workers, employees and other relevant persons. Such policy must be made available to the public.
- Group managers must provide knowledge to group members on the need to avoid discrimination in the recruitment and employment of workers employed by or assist to group members.

Criterion 6.9

A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.

Major Indicator:

6.9.1 A policy on preventing sexual harassment, violence and on the protection of women's reproductive rights

Guidance for group managers:

- Must put in place a policy and mechanism of the group on preventing sexual harassment, the use of violence and the protection of women's reproductive rights.
- Must provide knowledge among group members and workers employed by them about the need to prevent sexual harassment and the abuse of women.
- Should establish a procedure to handle specific complaints and grievances from women.
- In case where there are complaints and grievances from women workers or service providers/contractors on sexual harassment, any forms of violence or violation of women's reproductive rights, the group managers must handle the case in accordance with the complaints and grievances procedure as in Criterion 6.3.

Criterion 6.10

Growers and mills deal fairly and transparently with smallholders and other local businesses.

Major Indicator:

6.10.1 Records of Fresh Fruit Bunch (FFB) prices

6.10.2 Records or evidence showing the payment according to the agreed condition

Guidance for group managers:

- Group managers must ensure that:
 - Fair and transparent pricing mechanism for the FFB to group members must be established.
 - Fair FFB prices must be disclosed to all group members.
 - FFB payments are made to group members as agreed upon.
- Group members must be able to assess to the grievance procedure under Criterion 6.3. If they consider that they are not receiving a fair FFB price. This applies whether or not middle men are involved.

Criterion 6.11

Growers and mills contribute to local sustainable development wherever appropriate.

Indicator:

6.11 Not applicable to group smallholders.

Guidance for group managers:

- Group members are not obliged to this criterion.

Principle 7: Responsible development of new plantings

General guidance for new plantings by group members or prospective members

- *Individual group members are not eligible for RSPO Group Certification if their smallholdings have been established after 2005 in primary forests or any area containing one or more High Conservation Value*
- *The groups whose members plan to expand their aggregate landholdings by less than 500(3,125 rais) hectares in any one year must develop a simplified social and environmental impact assessment (Criteria 7.1, 7.2 and 7.4) and must observe Criteria 7.3 and 7.6. Details of expansion plans should be included in group annual budgetary plans (Criteria 3.1)*
- *The group whose members plan to expand their aggregate landholdings by more than 500(3,125 rais) hectares in any one year must comply with all Criteria in Principle 7.*

Criterion 7.1

A comprehensive and participatory independent social and environmental impact assessment is undertaken prior to establishing new plantings or operations, or expanding existing ones, and the results incorporated into planning, management and operations.

Major Indicator:

7.1.1 Evidence of land use history for new plantings

Minor Indicator:

7.1.2 Evidence of social and environmental impact assessment undertaken through a participatory approach of group members and neighboring communities

7.1.3 Appropriate management plan according to the results of social and environmental impact assessment. The plan is brought into practice

Guidance for group managers:

- Must keep record of previous land use of lands acquired for new plantings by the group members.
- Should consult with group members and neighboring communities in a participatory manner to identify the potential social and environmental impacts from the expansion of new plantings by group members.
- Should set up an appropriate management plan according to the results from a consultative meeting with group members and neighboring communities and bring it into practice.
- Where the groups plan to expand their aggregate smallholdings by more than 500hectares (3,125 rais) in any one year, the group managers should ensure that local communities, indigenous people and prospective smallholders

participate actively in the impact assessments. In addition to the consideration outlined in the RSPO P&C as well as the Thai RSPO P&C concerning the social and environment impact assessment, such assessment must include the participatory considerations with no order of priority preference, as follows:

- Assessment of the impacts of all major planned activities.
 - Assessment, including stakeholder consultations of High Conservation Values that could be adversely affected (see Criterion 7.3).
 - Assessment of potential impacts on adjacent natural ecosystems of planned developing areas, including whether such development or expansion will increase pressure on nearby natural ecosystems.
 - Identification of watercourses and assessment of potential impacts on hydrology by planned developing areas. Measures should be planned and implemented to maintain the quantity and quality of water resources.
 - Baseline soil surveys and topographic information, including the identification of marginal and fragile soils, areas prone to erosion and slopes unsuitable for planting.
 - Analysis of land type to be used (forest, degraded forest, cleared land).
 - Analysis of land ownership and land use rights.
 - Analysis of current land use patterns.
 - Assessment of potential social impact on surrounding communities of plantation, including an analysis of differential effect on women versus men, ethnic/indigenous communities, migrant versus long-established residents.
- Where the groups plan to expand their aggregate smallholdings by less than 500 hectares (3,125 rais) in any one year, the group managers should carry out a simplified social and environmental impact assessment which assesses HCVs, the identification of suitable lands and the right to establish new plantings.

Criterion 7.2

Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.

Major Indicator

7.2.1 Maps showing soil suitability or soil survey

Guidance for group managers:

- Where the groups plan to expand their aggregate smallholdings by more than 500 hectares (3,125 rais) in any one year, the group managers shall ensure that

group members are provided adequate information related to soil suitability, soil series or soil survey and including land topographic information for the consideration of expansion of new planting areas or new smallholdings.

- Where the groups plan to expand their aggregate smallholdings by less than 500 hectares (3,125 rais) in any one year, the group managers should carry out only simple soil survey (see Criterion 7.1).
- Group managers may consult relevant government officials, e.g. Land Development Department, for these requirements.

Criterion 7.3

New plantings since November 2005, have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values.

Major Indicator:

7.3.1 Evidence showing that no expansion of new planting areas for oil palm occurred in primary forests or on any High Conservation Values area/habitat

Guidance for group managers:

- Group managers shall ensure that this criterion shall be applied at the expansion of new plantings by group members.
- Group managers should consult relevant government agencies, e.g. Department of National Parks, Wildlife and Plant Conservation, for maps of primary forest or High Conservation Values.
- This criterion shall also extend to prospective members for further group certification.
- Group managers must provide evidence showing that no expansion of new planting areas for oil palm occurred in primary forest or on any High Conservation Values area/habitat by group members, such as land use history, legal land rights, land use rights and land lease.

Criterion 7.4

Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.

Minor Indicator:

7.4.1 In case where new plantings are established on steep terrain, marginal or fragile soils, a protection plan should be in place and brought into practice

Guidance for group managers:

- Where the groups plan to expand their aggregate smallholdings by more than 500hectares (3,125rais) in any one year, the group managers shall ensure

that no new plantings are acquired by group members on steep terrain, marginal soil or fragile soil.

- In case where such land on steep terrain, marginal soil or fragile soil representing only source of livelihood of group members, group managers must provide a development plan with appropriate measures, e.g. techniques of oil palm planting on steep slopes, soil fertility improvement and frond lining to protect soil erosion.

Criterion 7.5

No new plantings are established on local peoples' land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

Major Indicator:

7.5.1 Evidence showing the agreement of previous landowners with their free, prior and informed consent, FPIC

Guidance for group managers:

- Group managers must ensure that the acquisition of new smallholdings or expansion of new plantings by group members complies with Criteria 2.2, 2.3, 6.2, 6.4 and 7.6.
- Group managers should have maps or other documents showing the land holdings of group members and can show that these lands are not claimed or contested by third parties with legitimate claims.

General guidance

- Where lands are encumbered by legal or customary rights, group managers must demonstrate that these rights are understood by group members and are not being threatened or reduced.
- This criterion allows for sales or negotiated agreement to compensate other land users from benefit losses and/or yielding of land use rights.
- Acquisition of lands from negotiated agreements by group member should be non-coercive and entered into voluntarily, carried out prior to new investments or operations and based on an open sharing of all relevant information in appropriate forms and languages, including assessments of impacts, proposed benefit sharing and legal arrangements. Those selling or leasing lands must be permitted to seek legal counsel if they so choose.
- Communities selling or leasing lands must be represented through legal institutions or representatives of their own choosing, operating transparently and in open communication with other community members.

- Adequate time must be given for customary decision-making and iterative negotiations allowed for, where requested.
- Negotiated agreements must be binding on all parties and enforceable in the courts.

Criterion 7.6

Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.

Major Indicator

7.6.1 Evidence of transfer of rights, payments or agreed compensation

Guidance for group managers:

- Where legally owned or customary lands have been taken over, there shall be evidence of transfer of rights, e.g. sale or lease, and of payment or provision for identifying the agreed compensation.
- This activity should be integrated in the social and environmental impact assessment according to Criterion 7.1 and incorporate Criterion 7.5.

Criterion 7.7

Use of fire in the preparation of new plantings is avoided other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.

Major Indicator:

7.7.1 Evidence that burning is not used for land preparation

Guidance for group managers:

- Group managers must ensure that there is no fire used by group members to establish new plantings.
- Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimizing the risk of severe pest and disease outbreaks during land preparation. Evidence showing that the use of fire is carefully controlled.

Principle 8: Commitment to continuous improvement in key areas of activity

Criterion 8.1

Growers and mills regularly monitor and review their activities and develop and implement action plans that allow demonstrable continuous improvement in key operations.

Growers and mills prepare a plan for continuous improvement, implement, monitor, and regularly to review major of operational activities. These must include, but not necessarily be limited to the following indicators:

Major Indicator

8.1.1 A plan on continual improvement in the main group activities

Guidance for group managers:

- Group managers must establish a continuous improvement in the main group activities. The plan must be developed in a participatory manner with group members and consider the main economic, social and environmental impacts. It should include at least the following range of activities related to the indicators covered by these P&C:
 - Oil palm plantation management such as the harvest of fresh fruit bunch, soil fertility management, the reduction of certain pesticides and the use of Integrated Pest Management as well as formulating the need for training.
 - Environmental protection measures, such as soil erosion protection, maintenance of riparian zones.
 - Economic viability and social responsibility among group members, FFB collectors, mills and communities.

Appendix 1: Definitions

Customary rights: Patterns of long standing community land and resource usage in accordance with indigenous peoples' customary laws, values, customs and traditions, including seasonal or cyclical use rather than formal legal title to land and resources issued by the State. (Source:World Bank Operational Policy 4.10).

Environmental Impact Assessment: a process of predicting and evaluating the effects of an action or series of actions on the environment, then using the conclusions as a tool in planning and decision-making.

High Conservation Value Forest (HCVF): The forest necessary to maintain or enhance one or more High Conservation Values (HCVs):

- HCV1. Forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species).
- HCV2. Forest areas containing globally, regionally or nationally significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.
- HCV3. Forest areas that are in or contain rare, threatened or endangered ecosystems.
- HCV4. Forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control).
- HCV5. Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).
- HCV6. Forest areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

(See: 'The HCVF Toolkit' – available from www.hcvnetwork.org)

Integrated Pest Management (IPM): The management system for pest where the details on changes of pest population along with its relevant environment settings are collected, appropriate techniques and methods are integrated and the population reduction at the economic threshold level is implemented.

ISO Standards: Standards developed by the International Organization for Standardization (ISO: see <http://www.iso.ch/iso>).

Medium growers: Farmers growing oil palm where the planted area of oil palm is between 50 - 1,000 hectares in size.

Natural vegetation: Areas where many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present.

Plantation: The land containing oil palm and associated land uses such as infrastructure (e.g., roads), riparian zones and conservation set-asides.

Primary Forest: A primary forest is a forest that has never been logged and has developed following natural disturbances and under natural processes, regardless of its age. Also included as primary, are forests that are used inconsequentially by indigenous and local communities living traditional lifestyles relevant for the

conservation and sustainable use of biological diversity. The present cover is normally relatively close to the natural composition and has arisen (predominantly) through natural regeneration. National interpretations should consider whether a more specific definition is required. (From FAO Second Expert Meeting on Harmonizing Forest-Related Definitions for Use by Various Stakeholders, 2001,

http://www.fao.org/documents/show_cdr.asp?url_file=/DOCREP/005/Y4171E/Y4171E11.htm).

Rai: Measurement of area generally used in Thailand (one rai = 1,600 square meters or 40 by 40 meters).

Restore: Returning degraded or converted areas within the plantation to a semi-natural state.

Smallholders: Farmers growing oil palm where the planted area of oil palm is usually below 50 hectares in size.

Stakeholders: An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organisation and the consequences of those activities.

Undue influence: The exertion by a third party of any kind of control such that a person signs a contract or other agreement which, absent the influence of the third party, he would not have signed.

Use rights: Rights for the use of forest resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights. These rights may restrict the use of particular resources to specific levels of consumption or particular harvesting techniques.

Appendix 2: List of Related International Laws

Principles	International Standards	Key Provisions	Summary of Protections
Just Land Acquisition	ILO Convention 169 (1989) on Indigenous and Tribal Peoples	Articles 13-19	Respect and safeguard rights to lands and natural resources traditionally occupied and used; respect for customs of inheritance; no forced removals; compensation for loss and injury.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 25, 26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.
	UN Convention on Biological Diversity (1992)	Article 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.
Fair Representation and Participation of Indigenous and Tribal Peoples	ILO Convention 169 (1989) on Indigenous and Tribal Peoples	Articles 6-9	Represent themselves through their own representative institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve offences according to customary law (compatible with international human rights).
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 10, 11(2), 19, 28(1), 29(2) and 32(2).	Right to free, prior and informed consent to any project affecting their lands as expressed through their own representative institutions.
	Convention on the Elimination of All Forms of Racial Discrimination,	UN CERD Committee, UN	Free, Prior and Informed Consent for decisions that may affect

	International Covenant on Economic, Social and Cultural Rights, InterAmerican Human Rights System.	Committee on Social Cultural and Economic Rights, Inter-American Commission on Human Rights. ¹	indigenous peoples. (This standard has been widely accepted as a 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN and WWF).
No Forced Labour	ILO Convention 29 (1930) Forced Labour	Article 5	No concession to companies shall involve any form of forced or compulsory labour.
	ILO Convention 105 (1957) Abolition of Forced Labour	Article 1	Not make use of any form of forced or compulsory labour.
Protection of Children	ILO Convention 138 (1973) Minimum Age	Articles 1-3	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	ILO Convention 182 (1999) Worst Forms of Child Labour	Articles 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children
Freedom of Association and Collective Bargaining	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise	Articles 2-11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organise.
	ILO Convention 98 (1949) Right to	Articles 1-4	Protection against anti-union acts and

¹ For details see www.forestpeoples.org

	Organise and Collective Bargaining		measures to dominate unions; established means for voluntary negotiation of terms and conditions of employment through collective agreements.
	ILO Convention 141 (1975) Rural Workers' Organisations	Articles 2-3	Right of tenants, sharecroppers and smallholders to organise; freedom of association; free from interference and coercion.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Article 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development.
Non-Discrimination and Equal Remuneration	ILO Convention 100 (1951) Equal Remuneration	Articles 1-3	Equal remuneration for men and women for work of equal value.
	ILO Convention 111(1958) Discrimination (Employment and Occupation)	Articles 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 2, 8(2e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of rights of indigenous women.
Just Employment of Migrants	ILO Convention 97 (1949) Migration for Employment	Articles 1-9	Provision of information; no obstacles to travel; provision of health care; nondiscrimination in employment, accommodation, social security and remuneration; no forced

			repatriation of legal migrant workers; repatriation of savings.
	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)	Articles 1-12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.
Protection of Plantation Workers ²	ILO Convention 110 (1958) Plantations	Articles 5-91	Protection of members of families of recruited workers; protection of workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.
Protection of Tenants and Sharecroppers	ILO Recommendation 132 (1968) Tenants and Sharecroppers	Articles 4-8	Fair rents; adequate payment for crops; provisions for well-being; voluntary organisation; fair contracts; procedures for the settlement of disputes.
Protection of Smallholders	ILO Convention 117 (1962) Social Policy (Basic Aims and Standards)	Article 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to

² Convention 110 Article 1(1) defines a plantation as 'an agricultural undertaking regularly employing hired workers... concerned with the cultivation or production of ... [inter alia] palm oil....'

			secure highest possible living standards.
Health and Safety	ILO Convention 184 (2001) Safety and Health in Agriculture	Articles 7-21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery, equipment, chemicals, tools and processes; ensure dissemination of information, appropriate training, supervision and compliance; special protections for youth and women workers; coverage against occupational injuries and disease.
Control or Eliminate Use of Dangerous Chemicals and Pesticides	Stockholm Convention on Persistent Organic Pollutants (2001)	Articles 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (e.g. Aldrin, Chlordane, PCB); restrict production and use of chemicals in Annex B (e.g. DDT); reduce or eliminate releases of chemicals listed in Annex C (e.g. Hexachlorobenzene).
	FAO International Code of Conduct on the Distribution and Use of Pesticides (1985, Revised 2002)	Article 5	Curtail use of dangerous pesticides where control is difficult; ensure use of protective equipment and techniques; provide guidance for workers on safety measures; provide extension service to smallholders and farmers; protect workers and bystanders; make available full information on risks and protections; protect biodiversity and minimize impacts on environment; ensure

			safe disposal of waste and equipment; make provisions for emergency treatment for poisoning.
	Rotterdam Conventions on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)	Articles 1, 5 and 6	Curb trade in banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and pesticides.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 21(1), 23, 24, 29(3)	Improvement of livelihood in sanitation, health and housing; participate in health delivery; maintain traditional health systems; effective monitoring of health.

Appendix 3: List of Related Laws, Regulations & Guidelines Used in the Thailand Palm Oil Industry

Criterion	Related Laws, Regulations & Guidelines
1.1	-----
1.2	-----
2.1	<ul style="list-style-type: none"> • Land Development Act B.E. 2551 (2008) • Agricultural Land Reform Act B.E. 2518 (1975) • Agricultural Land Reform Act (No. 2) B.E. 2519 (1976) • Agricultural Land Reform Act (No. 2) B.E. 2532 (1989) • Land Allocation for Living Act B.E. 2511 (1968) • Land Renting for Agriculture Act B.E. 2524 (1981) • Land Allotment for Agriculture B.E. 2517 (1974) • Land Development Act B.E. 2526 (1983) • Land Development Act B.E. 2551 (2008) • The Land Code Amendment Act (No. 8) B.E. 2542 (1999) • The Act Amending the Land Code (No. 11), B.E. 2551 (2008) • The Act Amending the Land Code (No. 12), B.E. 2551 (2008) • Forest Act B.E. 2484 (1941) • National Park Act B.E. 2504 (1961) • National Reserved Forest Act B.E. 2507 (1964) • Wild Animal Reservation and Protection Act B.E. 2535 (1992) • Plant Varieties Protection Act B.E. 2542 (1999) • Ministerial regulation No.4 B.E. 2537 (1994) Classification of wild animals and protected wild animals • Convention on Biological Diversity • Convention on Wetlands of International Importance as Waterfowl Habitat: RAMSAR, 1971 • Human Rights Act B.E. 2542 (1999) • Labour Protection Act (No. 2, 3) B.E. 2551 (2008) • Labour Relations Act (No. 3), B.E. 2544 (2001) • Child Protection Act B.E. 2546 (2003) • Workmen's Compensation Act B.E. 2537 (1994) • Hazardous Substance Act B.E. 2544 (2001) • Notification of Labour Ministry B.E. 2552 (2009) Requirement of dangerous chemicals that employers must organize health check for employees • Notification of Ministry of Agriculture and Cooperative B.E. 2538 (1995) Registration of dangerous substances that under the responsibility of Department of Agriculture • Factory ACT B.E. 2535 (1992) • Public Health Act B.E. 2535 (1992) • The Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) • Ministry of Interior's Notification on Safety at Work in connection with Hazardous Chemical (B.E. 2534) • Notification of Ministry of Interior on prevention and control of fire in work place for employees' work safety • Ministry of Labour's regulation on the provision of welfare in the work place • Enhancement and Conservation of National Environmental Quality Act

	<p>B.E. 2535 (1992)</p> <ul style="list-style-type: none"> • Notification of Ministry of Sciences and Technology on Requiring project's Type and Scale or activities of public agency, public enterprise or private agency to prepare environmental impact analysis report • Notification of Ministry of Sciences and Technology on Criteria, method, procedures and guideline on environmental impact assessment report • Notification of Ministry of Industry B.E. 2548 (2005) Treatment of wastes or un-used materials • Notification of Ministry of Sciences and Technology on standard for waste water discharges from sources, type of factory and industry estate • Notification of Natural Resources and Environment Ministry B.E. 2549 (2006) Standards to control air pollution emitted from factory • Notifications of Ministry of Industry No 2 B.E. 2539 (1996) Requirements on the characteristic of discharge waste water from the factory • Notification of Ministry of Industry No.6 B.E. 2540 (1997) as organic rule of the Factory Act B.E. 2535 (1992) Treatment of wastes or un-used materials • Notification of Natural Resources and Environment Ministry on requirement of factory as pollution source that must be control of its polluting air emission • Notification of Ministry of Industry No.6 B.E. 2549 (2006) on air contaminant levels emitted from factory
2.2	<ol style="list-style-type: none"> 1. Land Development Act B.E. 2551 (2008) 2. Agricultural Land Reform Act B.E. 2518 (1975) 3. Agricultural Land Reform Act (No. 2) B.E. 2519 (1976) 4. Agricultural Land Reform Act (No. 2) B.E. 2532 (1989) 5. Land Allocation for Living Act B.E. 2511 (1968) 6. Land Renting for Agriculture Act B.E. 2524 (1981) 7. Public Property Land Act B.E. 2518 (1975) 8. National Park Act B.E. 2504 (1961) 9. National Reserved Forest Act B.E. 2507 (1964) 10. Bank of Agriculture and Agricultural Cooperative Act B.E. 2518 (1975) 11. Land Allotment for Agriculture B.E. 2517 (1974) 12. Land Development Act B.E. 2526 (1983) 13. Land Development Act B.E. 2551 (2008) 14. Land Code Amendment Act (No. 8) B.E. 2542 (1999) 15. Act Amending the Land Code (No. 11), B.E. 2551 (2008) 16. Act Amending the Land Code (No. 12), B.E. 2551 (2008)
2.3	<ul style="list-style-type: none"> • Land Development Act B.E. 2551 (2008) • Agricultural Land Reform Act B.E. 2518 (1975) • Agricultural Land Reform Act (No. 2) B.E. 2519 (1976) • Agricultural Land Reform Act (No. 2) B.E. 2532 (1989) • Land Allocation for Living Act B.E. 2511 1968) • Land Renting for Agriculture Act B.E. 2524 (1981) • Land Allotment for Agriculture B.E. 2517 (1974) • Land Development Act B.E. 2526 (1983) • Land Development Act B.E. 2551 (2008)
3.1	-----
4.1	-----

4.2	<ol style="list-style-type: none"> 1. Land Development Act B.E. 2526 (1983) 2. Land Development Act B.E. 2551 (2008) 3. Land Development Commission's regulation B.E. 2533 (1990) Criteria for applicant for land improvement or land and water conservation as individual case
4.3	<ol style="list-style-type: none"> 1. Land Development Act B.E. 2526 (1983) 2. Land Development Act B.E. 2551 (2008) 3. Land Development Commission's regulation B.E. 2533 (1990) Criteria for applicant for land improvement or land and water conservation as individual case
4.4	<ol style="list-style-type: none"> 1. Artesian Water Act B.E. 2520 (1978) 2. Artesian Water Act (No. 3), B.E. 2546 (2003) 3. Notification of National Environment Commission No. 8 B.E. 2537 (1994) as organic rule to Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) on setting water quality standards for surface water source 4. Notification of National Environment Commission No. 20 B.E. 2543 (2000) on setting water quality standards in underground water source 5. Notification of National Environment Commission No. 8 B.E. 2537 (1994) on setting water quality standards for surface water source 6. <i>Draft Water Resource Act</i>
4.5	<ol style="list-style-type: none"> 1. Hazardous Substance Act B.E. 2535 (1992)
4.6	<ol style="list-style-type: none"> 2. Labour Protection Act B.E. 2541 (1998) 3. Labour Protection Act (No. 2) B.E. 2551 (2008) 4. Hazardous Substance Act B.E. 2535 (1992) 5. Hazardous Substance Act (No. 2) B.E. 2544 (2001) 6. Hazardous Substance Act (No. 3) B.E. 2551 (2008) 7. Notification of Ministry of Agriculture and Cooperative B.E. 2538 (1995) Registration of dangerous substances that under the responsibility of Department of Agriculture 8. Notification of Ministry of Interior B.E. 2534 (1991) on Safety at work in connection with hazardous chemicals 9. Notification of Ministry of Interior B.E. 2520 (1977) on Safety at work in connection with environment (chemicals) 10. Notification of Department of Labour Protection and Welfare B.E. 2535 (1992) on classification of type and category of dangerous chemicals 11. Ministerial regulation on labour protection in agricultural work B.E. 2547 (2004) 12. Notification of Labour Ministry B.E. 2552 (2009) Requirement of dangerous chemicals that employers must organize health check for employees
4.7	<ul style="list-style-type: none"> • Labour Protection Act B.E. 2541 (1998) • Labour Protection Act (No. 2) B.E. 2551 (2008) • Notification of Ministry of Interior B.E. 2520 (1977) on Safety at work in connection with environment (chemicals) • Notification of Ministry of Interior B.E. 2534 (1991) on Safety at work in connection with hazardous chemicals • Notification of Ministry of Agriculture and Cooperative, Ministry of Public Health, Ministry of Industry on the Requirements of method of transportation, storage, and destruction of toxic substances or treatment of toxic substance containers (No. 1) B.E. 2525 (1982) • Ministerial regulation on the Protection of labour in agricultural work B.E. 2547 (2004) • Ministerial regulation on setting standards in the administration and

	<p>management of safety, occupational health, environment in the workplace related to heat, light, and noise B.E. 2549 (2006)</p> <ul style="list-style-type: none"> • Ministerial regulation on setting standards in the administration and management of safety, occupational health, environment in the workplace B.E. 2549 (2006) • Notification of Department of Labour Protection and Welfare on the Requirements on criteria and method of transportation, storage, moving, and destruction of package, container, and packing material of dangerous chemical
4.8	<ol style="list-style-type: none"> 1. Labour Protection Act B.E. 2541 (1998) 2. Labour Protection Act (No. 2) B.E. 2551 (2008) 3. Notification of Department of Labour Protection and Welfare on Criteria and method of training staff on safety in workplaces
5.1	<ol style="list-style-type: none"> 1. Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) 2. Enhancement and Conservation of National Environmental Quality No. 2 Act B.E. 2521 (1978) 3. Enhancement and Conservation of National Environmental Quality Act B.E. 2518 (1975)
5.2	<ul style="list-style-type: none"> • Forest Act B.E. 2484 (1941) • National Park Act B.E. 2504 (1961) • National Reserved Forest Act B.E. 2507 (1964) • Wild Animal Reservation and Protection Act B.E. 2535 (1992) • Plant Varieties Protection Act B.E. 2542 (1999) • Ministerial Regulation No. 4 (B.E. 2537) on Classification of Wild Animals as Protected Wild Animals • Ministerial regulation to determine some wild animals as protected wild animals B.E. 2546 (2003)
5.3	-----
5.4	<ol style="list-style-type: none"> 1. Energy Conservation Promotion Act (No. 2) B.E. 2550 (2007) 2. Ministerial regulation on Criteria, method, and time frame for submitting information and recording information on energy conservation B.E. 2547 (2004) 3. Ministerial regulation on Criteria, method and time frame in setting up goal and plan for energy conservation and inspection and analysis of the implementation the goal and plan on energy conservation for controlled factory and building B.E. 2547 (2004) 4. Ministerial regulation No. 5 B.E. 2540 (1997) on the Form and time frame for submission information about the production, use, and conservation of energy
5.5	<ul style="list-style-type: none"> • Forest Act B.E. 2484 (1941) Article 54 • National Reserved Forest Act B.E. 2507 (1964) Article 14 • National Park Act B.E. 2504 (1961) Article 16 • Wild Animal Reservation and Protection Act B.E. 2535 (1992) Article 38 • Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) Article 96
5.6	<ol style="list-style-type: none"> 1. Factory ACT B.E. 2535 (1992) 2. Notification of Ministry of Industry B.E. 2549 Setting standards for levels of smoke contaminated in the air emitted from factory's boiler chimney 3. Notification of Ministry of Industry B.E. 2549 Setting standards for substance contaminated in air emitted from factory 4. Notification of Ministry of Industry B.E. 2547 Setting standards for sulphur dioxide gas contaminated in air emitted from factory using

	<p>bunker oil as fuel</p> <ol style="list-style-type: none"> 5. Notification of Ministry of Science and Technology on Standard setting for waste water discharges from source, type of factory and industrial estate 6. Notification of Ministry of Industry No 2 B.E. 2539 (1996) on the requirements on the characteristic of discharge waste water from the factory 7. Ministerial Regulation No. 2 B.E 2535 (1992) – Chapter IV: Control of a release of waste, pollutants, or other materials affecting the environment 8. Ministerial regulation No. 3 B.E. 2535 (1992) as organic rule of Factory Act B.E. 2535 (1992) Requirement for factory having severe impacts on environment as specified by the Ministry must prepare audit report on its effectiveness in preventing environmental pollution, the analysis of pollutants in the environmental polluting prevention, and environmental audit 9. Notification of Ministry of Industry B.E. 2544 (2001) Requirement for installation of an automatic instrument or equipment to measure quality of air emissions from stacks 10. Notification of Ministry of Industry No 3 B.E. 2549 (2006) Requirement for factories having waste water treatment system to install special and additional instruments or equipments
6.1	-----
6.2	-----
6.3	-----
6.4	-----
6.5	<ul style="list-style-type: none"> • Labour Protection Act B.E. 2541 (1998) • Social Welfare Promotion Act (No 2) B.E. 2550 (2007) • Labour Protection Act (No. 2) B.E. 2551 (2008) (guarantee, working regulations, special remuneration and sanction) • (Labour Protection Act (No. 3) B.E. 2551 (remuneration) (2008)
6.6	<ol style="list-style-type: none"> 1. Labour Relations Act B.E. 2518 (1975) 2. Labour Relations Act (No. 3) B.E. 2544 (2001)
6.7	<ol style="list-style-type: none"> 1. Labour Protection Act B.E. 2541 (1998) 2. Labour Protection Act (No. 2) B.E. 2551 (2008) 3. Child Protection Act B.E. 2546 (2003)
6.8	<ol style="list-style-type: none"> 1. Human Rights Act B.E. 2542 (1999) 2. National Human Rights Commission Act B.E. 2542 (1999) 3. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 4. Alien Worker Employment Act B.E. 2551 (2008) 5. Ministerial regulation on agricultural labour protection B.E. 2547 (2004)
6.9	<ol style="list-style-type: none"> 1. National Human Rights Commission Act B.E. 2542 (1999) 2. Labour Protection Act B.E. 2541 (1998) 3. Family Violence Act B.E. 2550 (2007)
6.10	-----
6.11	-----

7.1	<ul style="list-style-type: none"> • Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) • Enhancement and Conservation of National Environmental Quality Act No. 2 B.E. 2521 (1978) • Enhancement and Conservation of National Environmental Quality Act B.E. 2518 (1975)
7.2	<ul style="list-style-type: none"> • Land Development Act B.E. 2526 (1983)
7.3	<ol style="list-style-type: none"> 1. Forest Act B.E. 2484 (1941) 2. National Park Act B.E. 2504 (1961) 3. National Reserved Forest Act B.E. 2507 (1964) 4. Wild Animal Reservation and Protection Act B.E. 2535 (1992) 5. Plant Varieties Protection Act B.E. 2542 (1999) 6. Ministerial Regulation No. 4 (B.E. 2537) on Classification of Wild Animals as Protected Wild Animals 7. Convention on Biological Diversity 8. Convention on Wetlands of International Importance as Waterfowl Habitat: RAMSAR, 1971
7.4	-----
7.5	-----
7.6	<ol style="list-style-type: none"> 1. The Agricultural Land Reform Act B.E. 2518 (1975)
7.7	<ul style="list-style-type: none"> • Forest Act B.E. 2484 (1941) • National Reserved Forest Act B.E. 2507 (1964) • National Park Act B.E. 2504 (1961) • Wild Animal Reservation and Protection Act B.E. 2535 (1992) • Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992) Article 96
8.1	-----