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The Office of the Securities and Exchange Commission

Notification of the Office of Securities and Exchange Commission

No. SorThor. 55/2546

Re: Report Forms of Securities Companies

By virtue of Section 109 of the Securities and Exchange Act B.E. 2535 (1992) and Clause 1 of the Notification of the Securities and Exchange Commission Re: Rules and Schedules for Report Filing of Securities Companies dated 18 May 1992, the Office of the Securities and Exchange Commission hereby issues the following regulations:

Clause 1. The Notification of the Office of the Securities and Exchange Commission No. SorThor. 57/2544 Re: Report Forms of Securities Companies dated 28 November 2001 shall be repealed.

Clause 2. In this Notification:

“securities company” means a legal entity licensed to undertake securities business in the category of securities brokerage, securities finance, securities borrowing and lending, securities dealing or securities underwriting, which is not limited to debt instruments, exclude financial institutions established under specific laws or any legal entity licensed to undertake finance or commercial banking business.

“electronic data”¹ means statements that are created, sent, received, stored or processed through electronic procedures.

“securities company reporting system”² means the electronic data interchange provided by the Office for filing reports of securities company to the Office.

“Office” means the Office of the Securities and Exchange Commission.

Clause 3³. The securities company shall prepare and file the reports with the Office using the forms and within the schedules as follows:

(1) Report on the financial status and business operation: Securities companies, excluding such securities companies licensed to undertake securities business in the category of securities finance, shall prepare and file this report

¹ As added by the Notification of the Office of Securities and Exchange Commission No. SorThor. 20/2547 Re: Report Forms of Securities Companies (No. 2) dated 25 May 2004.

² As added by the Notification of the Office of Securities and Exchange Commission No. SorThor. 20/2547 Re: Report Forms of Securities Companies (No. 2) dated 25 May 2004.

³ As amended by the Notification of the Office of Securities and Exchange Commission No. SorThor. 8/2549 Re: Report Forms of Securities Companies (No. 3) dated 31 March 2006.

with the Office on a monthly basis through Form Bor.Lor. 2 and Table Bor.Lor. 2/1 as attached to this Notification by the fourteenth day of the following month.

(2) Report on margin accounts: Only the securities companies licensed to undertake securities business in the category of securities brokerage, securities finance, securities borrowing and lending or securities dealing, shall prepare and file this report with the Office on a monthly basis through Form Bor.Lor. 5/1 as attached to this Notification by the seventh day of the following month.

(3) Report on clients' assets: Any securities company that provides a custodian service for assets of its clients, whether for the purpose of custody, or purchasing or selling, or borrowing or lending securities, or securing securities purchase or sale or borrowing or lending, or for any other purposes as specified by the Notification of the Securities and Exchange Commission governing custody of clients' assets by securities companies, shall prepare and file this report with the Office on a monthly basis through Form Bor.Lor. 8 as attached to this Notification by the seventh day of the following month.

In this regard, the securities companies which have duty to file the reports under (2) or (3) with the Office shall file such reports even though there is no transaction during such period.

Clause 3/1⁴. In case where securities companies wish to file the reports under clause 3 to the Office in the form of electronic data, the securities companies shall file the reports via securities company reporting system by following the Office's rules of electronic data filing.

Clause 4. The following securities companies shall be exempt from preparing and filing the reports under this Notification:

(1) Any securities company, which ceases its securities business in all categories or which is suspended from its securities business in all categories by order of the SEC or the Office, and when the Office has received notice in writing from the securities company or when the order of the SEC or the Office has come into force, shall be exempt from filing reports for all categories, commencing from the month in which the business operation ceases or is suspended and such securities company must not have any pending report. Such exemption shall desist when such securities company has resumed its business operation with the approval from the SEC or the Office.

(2) Any securities company, which ceases to undertake any particular category of its business or ceases any particular transaction which requires reporting, and when the Office has received notice in writing from the securities company, shall be exempt from filing only such reports relating to the securities business category or transaction as notified for cessation, commencing from the month in which such cessation of business or transaction takes place and such securities company must not have any pending report. Such exemption shall

⁴ As added by the Notification of the Office of Securities and Exchange Commission No. SorThor. 20/2547 Re: Report Forms of Securities Companies (No. 2) dated 25 May 2004.

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desist when the securities company has resumed its business operation with the approval from the SEC or the Office or has restarted such transaction.

(3) Any securities company, which is suspended by order of the SEC or the Office from undertaking securities business in any particular category or any particular transaction that requires reporting, and when the order of the SEC or the Office has come into force, shall be exempt from filing only such reports relating to the suspended securities business category or transaction, commencing from the month in which such suspension from business or transaction takes place and such securities company must not have any pending report. Such exemption shall desist when the securities company has resumed its business operation or transaction with the approval from the SEC or the Office.

Clause 5. Any securities company, which have duty to prepare and file with the Office such reports on the financial status and business operation, margin accounts, and clients' assets, as required by the Notification of the Office of the Securities and Exchange Commission No. SorThor.57/2544 Re: Report Forms of Securities Companies dated 28 November 2001 shall be required to prepare and file the reports for such transactions done prior to the effective date of this Notification in accordance with such Notification.

Clause 6. This Notification shall come into force from 1 January 2004.

Notified on this 26th day of December 2003.

- Signature -

(Mr. Prasarn Triratvorakul)
Secretary-General

The Office of the Securities and Exchange Commission

Remark:

The Notification of the Office of Securities and Exchange Commission No. SorThor. 55/2546 Re: Report Forms of Securities Companies dated 25 May 2004 was published in the Government Gazette Vol.120, Part 152 Ngor, Special Issue, dated 31 December 2003.

The Notification of the Office of Securities and Exchange Commission No. SorThor. 20/2547 Re: Report Forms of Securities Companies (No. 2) dated 25 May 2004 was published in the Government Gazette Vol.121, Part 061 Ngor, Special Issue, dated 31 March 2004.

The Notification of the Office of Securities and Exchange Commission No. SorThor. 8/2549 Re: Report Forms of Securities Companies (No. 2) dated 31 March 2006.