

UNOFFICIAL TRANSLATION

Readers should be aware that only the original Thai text has legal force, and that this English translation is strictly for reference.

Notification of the Office of the Securities and Exchange Commission No. SorThor. 32/2548 Re. Customer Complaint Proceedings of Licensed Derivatives Brokers

By virtue of Clause 27 of the *Notification of the Office of the Securities and Exchange Commission No. KorThor. 65/2547 Re: Rules of Derivatives Business for Licensed Derivatives Brokers* dated 22 December 2004, the SEC Office hereby issues the following regulations:

Clause 1 In this Notification:

“*derivatives broker*” means a person licensed to undertake derivatives business in the category of derivatives brokerage;

“*complaint*” means a complaint relating to or as a result of derivatives business in the category of derivatives brokerage.

Clause 2 For appropriate customer complaint proceedings, a derivatives broker shall:

(1) arrange to have a unit or personnel to be responsible for receiving and handling the customer complaint;

(2) arrange to have regulation in writing which establishes procedures for receiving and handling the customer complaint as well as reporting progress and notifying the results provided by the derivatives broker;

(3) arrange to have a system to monitor and inspect customer complaint proceedings as to ensure that such complaint is handled within an appropriate period and following the procedures and means as determined in sub-clause (2);

Clause 3 A derivatives broker shall proceed with a customer complaint in the following manners:

(1) considering and solving the customer complaint rapidly according to the procedures and means as prescribed in Clause 2(2);

(2) notifying the results to the customer within seven days from the date the derivatives broker completes its consideration of the customer complaint;

(3) notifying the customer to acknowledge the rights to propose the complaint to be settled by means of arbitration and the following procedure the customer is able to proceed with in case of unsatisfactory results provided by the derivatives broker;

(4) preparing a summary report in relation to the customer complaint, specifying solvable and unsolvable complaints by category and filing the report to the Office, on a quarter basis, within fifteen days from the end of a quarter.

(5) storing document and evidence in relation to the customer complaint and the proceedings to handle such complaint for no less than five years from the date the derivatives broker completes its consideration of the complaint. Such document and evidence shall be stored in the manner which is immediately available upon the SEC Office’s request for a review or an inspection for the first two years.

Clause 4 In case the customer files a complaint to the SEC Office which delivers the complaint to a derivatives broker, the derivatives broker shall report the results to the Office within thirty days from the date of the complaint received. And if the derivatives broker has not yet finished its solution to the complaint, a progress report shall be delivered to the Office every thirty days until the proceedings to the solution is deemed final, unless otherwise specified by the Office.

Clause 5 This Notification shall come into force from 1 December 2005.

Notified this 14th day of November 2005

(Mr. Thirachai Phuvanatanarubala)
Secretary-General
Office of the Securities and Exchange Commission
Office of the Securities and Exchange Commission