

(Unofficial Translation)

Readers should be aware that only the original Thai text has legal force and that this English translation is strictly for reference. The SEC, Thailand cannot undertake any responsibility for its accuracy, nor be held liable for any loss or damages arising from or related to its use.

**Notification of the Capital Market Supervisory Board
No. Tor Thor 9/2551
Re: Custody of Client Assets of a Securities Company**

By Virtue of Section 16/6 and Section 98(3) of the Securities and Exchange Act B.E. 2535 (1992) as amended by the Securities and Exchange Act (No.4) B.E. 2551 (2008) whose certain provisions enclose some restrictions of rights and liberties of persons permitted by virtue of law under the Constitution of the Kingdom of Thailand in Section 29 in conjunction with Section 33, Section 34, Section 41, Section 43, Section 44 and Section 64; whereas Section 60 of the Securities and Exchange Act (No.4) B.E. 2551 specifies the duty of the Securities and Exchange Commission as the Capital Market Supervisory Board, the SEC hence sets out the requirements as follows:

Clause 1 The provision of sub-clause (2) in the second paragraph of Clause 4 of the Notification of the Securities and Exchange Commission No. KorThor. 4/2543 Re: Custody of Client Assets of a Securities Company dated 4 January 2000 shall be repealed and replaced by the following texts:

“(2) a financial institution whose core businesses are already under supervision and are licensed subsequently to operate securities business. This does not include financial institutions licensed to undertake securities borrowing and lending business which offer custody for clients’ assets related to securities borrowing and lending business.”

Clause 2 The provision of Clause 16 of the Notification of the Securities and Exchange Commission No. KorThor. 4/2543 Re: Custody of Client Assets of a Securities Company dated 4 January 2000 shall be repealed and replaced by the following texts:

“**Clause 16** Securities companies must maintain information and documents related to the custody of clients’ assets not less than five years. In the first two years, those information and

(Unofficial Translation)

documents shall be preserved in such a way that is promptly available for the Office to view or inspect.”

Clause 3 This Notification shall come into force as from 1 August 2008.

Notified this 16th day of May 2008

Mr. Surapong Suebwonglee
Minister of Finance
Chairman of the Securities and Exchange Commission

Remark: The reason for issuing this Notification is to administer financial institutions which are licensed to undertake securities borrowing and lending business to hold custody of clients’ assets that are associated with securities borrowing and lending business complied with this Notification and to extend period of time in maintaining information and documents that are related to the custody of clients’ assets in convergence with the international standards of the International Organization of Securities Commissions (IOSCO).