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Notification of the Capital Market Supervisory Board
No. TorThor. 8/2553
Re: Call for and Deposit of Margins for Derivatives Trading
in Derivatives Exchange
(No. 2)

By virtue of provision in Section 18 of the Derivatives Act B.E. 2546 (2003) which contains certain provisions relating to the restriction of rights and liberties of persons, which Section 29 in conjunction with Section 33, Section 34, Section 36, Section 41, Section 43, and Section 45 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the Capital Market Supervisory Board hereby issues the following regulations:

Clause 1. The following provision shall be added as Clause 7/1 of the Notification of the Capital Market Supervisory Board No. TorThor. 25/2551 Re: Call for and Deposit of Margins for Derivatives Trading in Derivatives Exchange dated 5 November 2008:

“Clause 7/1 In case of transferring derivatives position of customer that held by any derivatives broker to another derivative broker in the settlement system of derivatives clearing house, the derivatives broker that accepts such transfer shall comply with the requirements set forth in Clause 3, Clause 4, Clause 5, Clause 6 and Clause 7 as from the transfer of derivatives position has been accepted provided that the derivatives broker that transfers [the derivatives position] shall not be required to comply with the requirements specified in Clause 3 and Clause 4 as from the transfer of derivatives position.”

Clause 2. This Notification shall come into force as from 1 March 2010.

Notified this 10th day of February 2010.

-signature-

(Thirachai Phuvanatanarubala)
Secretary-General
Office of the Securities and Exchange Commission
Chairman
Capital Market Supervisory Board

Remark: The rationale for issuing this Notification is to specify the duty of derivatives broker that accepts transfer of derivatives position of customer to call for and to undertake procedures related to deposit of margins as from the acceptance of the transfer of such derivatives position on behalf of derivatives broker that transfers [the derivatives position].