

(UNOFFICIAL TRANSLATION)

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**Notification of the Capital Market Supervisory Board**  
**No. TorThor. 18/2553**  
**Re: Selling of Securities in Foreign Country by Securities Company Without**  
**Having Possession**  
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By virtue of Section 16/6 of the Securities and Exchange Act B.E. 2535 (1992) as amended by the Securities and Exchange Act (No. 4) B.E. 2551 (2008) and Section 98(5) of the Securities and Exchange Act B.E. 2535 (1992) which contain certain provision relating to restriction of rights and liberties of person which Section 29 in conjunction with Section 33, Section 34, Section 41, Section 43, Section 44 and Section 64 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 securities company may sell securities on foreign exchange for its own account without having possession.

For the purpose of the first paragraph, “foreign exchange” shall mean legal entity established under foreign law which legally provides service as the exchange or securities trading centre under the law of such country and supervised by government or securities regulator (regulated exchange).

**Clause 2.** The securities company shall arrange to have evidence related to execution of transaction under Clause 1 and maintain complete and up to date evidence at least for the period of five years as from the date of execution of transaction. During the first two years, such evidence shall be kept in the manner that is ready for request or inspection by the SEC Office.

**Clause 3.** This Notification shall come into force as from 16 May 2010.

Notified this 27<sup>th</sup> day of April 2010.

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

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**Remark:** The rationale for issuing this notification is to increase more channels for the securities company to conduct transactions by allowing securities company to sell securities in foreign exchange for its own account without having possession as well as requiring securities company to maintain evidence document related to execution of such transactions.