

(UNOFFICIAL TRANSLATION)

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**Notification of the Office of the Securities and Exchange Commission  
No. SorDor. 3/2554  
Re: Additional Particulars in Trust Instrument for Creating Reserve Account  
or Sinking Fund**

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By virtue of Section 9 and Section 15 of the Trust for Transactions in Capital Market Act B.E. 2550 (2007) which contain certain provisions in relation to the restriction of rights and liberties of persons which Section 29 in conjunction with Section 32, Section 33, Section 41 and Section 43 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the SEC Office hereby issues the following regulation:

**Clause 1** In creating reserve account or sinking fund in the form of trust for repayment of debt arising from issuance of debt securities, other than complying with the Notification of the Office of Securities and Exchange Commission concerning particulars in trust instrument, trust instrument shall contain the following details:

(1) Specifying that trustee make payment to debenture holder on behalf of debenture issuer upon circumstances or when any condition has been satisfied as indicated in the trust instrument;

(2) Specifying trustee's duty to transfer interest arising from money in the reserve account or sinking fund to the settlor within thirty days from the date on which the trust property receives such interest;

**Clause 2** This Notification shall come into force as from 1 February 2011.

Notified this 18<sup>th</sup> day of January 2011.

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(Thirachai Phuvanatanarubala)

Secretary-General

Office of the Securities and Exchange Commission

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**Remark:** The rationale for issuing this Notification is to prescribe additional particulars in the trust instrument for use of trust in creating of reserve account or sinking fund in order to clarify the status of the trustee in making payment to the debenture holder and to be in line with regulations on taxation.