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**Notification of the Office of the Securities and Exchange Commission  
No. SorBor. 16/2554  
Re: Determination of Fees for Filing Registration Statement, Registration and  
Filing of Other Applications  
(No. 28)**

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By virtue of Section 19(3) of the Securities and Exchange Act B.E. 2535 (1992) which amended by the Securities and Exchange Act (No. 4) B.E. 2551 (2008) 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 41, Section 43, Section 44 and Section 64 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the SEC Office hereby issues the following regulations:

**Clause 1.** The following provision shall be added as (2/1) of Clause 17 of the Notification of the Office of the Securities and Exchange Commission No. SorBor. 28/2547 Re: Determination of Fees for Filing Registration Statement, Registration and Filing of Other Applications dated 7 July 2004 as amended by the Notification of the Office of the Securities and Exchange Commission No. SorBor. 16/2553 Re: Determination of Fees for Filing Registration Statement, Registration and Filing of Other Applications (No. 22) dated 13 May 2010:

“(2/1) “Infrastructure Fund” means infrastructure fund established under the Notification of the Capital Market Supervisory Board concerning rules, conditions and procedures for establishment and management of infrastructure fund;”

**Clause 2.** The definition of the term “scheme capital” in (4) of Clause 17 of the Notification of the Office of the Securities and Exchange Commission No. SorBor. 28/2547 Re: Determination of Fees for Filing Registration Statement, Registration and Filing of Other Applications dated 7 July 2004 as amended by the Notification of the Office of the Securities and Exchange Commission No. SorBor. 16/2553 Re: Determination of Fees for Filing Registration Statement, Registration and Filing of Other Applications (No. 22) dated 13 May 2010 shall be repealed and replaced by the following provision:

“scheme capital” means scheme capital that management company files an application for registration with the SEC Office under the Notification of the Capital

Market Supervisory Board concerning registration of asset as mutual fund and amendment of registration transaction”

**Clause 3.** Provision in (3) of Clause 18 of the Notification of the Office of the Securities and Exchange Commission No. Re: 28/2547 Re: Determination of Fees for Filing Registration Statement, Registration and Filing of Other Applications dated 7 July 2004 as amended by the Notification of the Office of the Securities and Exchange Commission No. SorBor. 16/2553 Re: Determination of Fees for Filing Registration Statement, Registration and Filing of Other Applications (No. 22) dated 13 May 2010 shall be repealed and replaced by the following provisions:

“(5) registration of mutual fund;

(a) in case of mutual fund with maturity not longer one year and not the mutual fund under (c), every Baht 100 million or fraction of Baht 100 million shall be at the rate of Baht 1,000, provided that the total fee shall not be less than Baht 10,000, but not exceeding Baht 75,000. The minimum fee shall not be applicable in case of provident fund or long-term equity fund;

(b) in case of mutual fund with maturity longer than one year and not the mutual fund under (c), every Baht 100 million or fraction of Baht 100 million shall be at the rate of Baht 2,000, provided that the total fee shall not be less than Baht 20,000, but not exceeding Baht 150,000. The minimum fee shall not be applicable in case of provident fund or long-term equity fund;

(c) in case of the property fund or infrastructure fund, every Baht 100 million or fraction of Baht 100 million shall be at the rate of Baht 10,000.

The calculation for scheme capital of mutual fund under the first paragraph shall be calculated from any of the following scheme capital:

(a) amount of registered capital, in case where mutual fund specifies in mutual fund project as the fund with one-time offer for sale of investment units, property fund or infrastructure fund;

(b) amount of scheme capital, in case of mutual fund other than (a);”

(6) application for approval to increase registered capital of property fund or infrastructure fund shall be Baht 100,000 per application;

(7) application for the amendment to registration to increase scheme capital:

(a) in case of mutual fund with maturity not longer than one year and not the mutual fund under (c), fee calculable on every Baht 100 million or fraction of Baht 100 million shall be at the rate of Baht 1,000, provided that the total fee shall not

be less than Baht 10,000, but not exceeding Baht 75,000. The minimum fee shall be applicable to provident fund or long-term equity fund;

(b) in case of mutual fund has a maturity not longer than one year and not the mutual fund under (c), fee calculable on every Baht 100 million or fraction of Baht 100 million shall be at the rate of Baht 2,000, provided that the total fee shall not be less than Baht 20,000, but not exceeding Baht 150,000. The minimum fee shall not be applicable to provident fund or long-term equity fund;

(c) in case of property fund or infrastructure fund fee calculable every Baht 100 million or fraction of Baht 100 million shall be at the rate of Baht 10,000.

The calculation for the scheme capital under (a) or (b) of the first paragraph shall be based on par value of investment units multiplied by the value of the investment units eligible for additional offers for sale. The calculation for each application shall be based on any of the following scheme capital:

(a) amount of registered capital increased in case where mutual fund does not specify in the mutual fund project as the fund with one-time offer for sale of investment units;

(b) the difference between the amount of the scheme capital and the scheme capital, in case of transformation from the closed-end fund to open-end fund or from open-end fund with one-time offers for sale investment units to open-end fund that may offer for sale additional investment units.

The calculation for the scheme capital under (c) of the first paragraph shall be based on the offer of additional investment units multiplied by the amount of investment units offered for sale additionally by calculating from the amount of additional scheme capital”

**Clause 5** This Notification shall come into force as from 16 June 2011.

Notified this 1<sup>st</sup> day of June 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 specify the requirements for the calculation of fees for the registration of mutual fund and amend the registration to increase scheme capital to be more appropriate.