

## TRANSLATION

As of July 21, 2011.

*Readers should be aware that only the original Thai text has legal force and that this English translation is strictly for reference.*

### Notification of the Securities and Exchange Commission

**No. Kor Jor. 15/2554**

**Re: Determination of Definitions in Notifications**

**concerning Issuance and Offer for**

**Sale of Securities**

**(No. 3)**

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By virtue of Section 14 of the *Securities and Exchange Act B.E. 2535 (1992)* as amended by the *Securities and Exchange Act (No. 4) B.E. 2551 (2008)*, which contain certain provisions in relation to the restriction of rights and liberty 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 Securities and Exchange Commission hereby issues the following regulations:

**Clause 1** The provisions in (15) and (16) of Clause 2 of the *Notification of the Securities and Exchange Commission No. Kor Jor. 17/2551 Re: Determination of Definitions in Notifications concerning Issuance and Offer for Sale of Securities* dated 15 December 2008 shall be repealed and replaced by the following provisions:

“(15) “*person who may have a conflict of interest*” means the following persons:

- (a) director or executive of securities issuer;
- (b) major shareholder of securities issuer;
- (c) controlling person of securities issuer;
- (d) person having relationship by blood, marriage or legal registration with any person under (a), (b) or (c), namely father, mother, spouse, sibling, child or spouse of child;

(e) any juristic person whose shares or controlling power or any other interest are held by any person under (a) (b) or (c), whether directly or indirectly, in a significant manner;

(16) “*executive*” means a manager or the next four executives succeeding the manager and every person holding an equivalent position to the fourth executive, including persons holding the position of departmental manager or equivalent or higher in accounting or finance.”

**Clause 2** The provisions in (c) and (d) of (18) under Clause 2 of the *Notification of the Securities and Exchange Commission No. Kor Jor. 17/2551 Re: Determination of Definitions in Notifications concerning Issuance and Offer for Sale of Securities* dated 15 December 2551 shall be repealed and replaced by the following provisions:

(c) person who, by behavior, can take control over the persons responsible for policy making, management or operation of the company by having them follow his orders with regard to policy making, management or operation of the company;

(d) person who, by behavior, takes part in or is responsible for the operation of the company as director or executive, including any person who holds a position with the same authority as the aforesaid persons of the company.”

**Clause 3** This Notification shall come into force as from 1 August 2011.

Notified this 21st Day of July 2011.

-Signature-

(Nawaporn Ruengsakul)

Chairman

Securities and Exchange Commission