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Notification of the Securities and Exchange Commission

No. KorChor. 3/2555

Re: Determination of Definitions in Notification relating to Issuance and Offer for Sale of Debt Securities

(No. 3)

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 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 Securities and Exchange Commission hereby issues the following regulations:

Clause 1. Provision in (d) of (1) of Clause 3 of the Notification of the Securities and Exchange Commission No. KorChor. 5/2552 Re: Determination of Definitions in Notification relating to Issuance and Offer for Sale of Debt Securities dated 13 March 2009 shall be repealed and replaced with the following provision:

“(d) “structured debentures” means debentures having terms for repayment in accordance with any of the following characteristics, but not including debentures with return linking to interest rates of financial institution or other interest rates (floating rate notes):

1. value of return depending upon predefined underlying factors;
2. value of principal redemption, whether wholly or partially, depending upon predefined underlying factors;
3. issuer having right to repay principal or return or holder having right to obtain principal or return payment, whether wholly or partially, in form of securities or other types of assets, providing that the securities shall not be newly issued shares of structured debentures issuer;”

Clause 2. This Notification shall come into force as from 1 April 2012.

Notified this 29th day of March 2012.

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(Nawaporn Ruengsakul)

Chairman

Securities and Exchange Commission