

(UNOFFICIAL TRANSLATION)

*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 Office of Securities and Exchange Commission**

**No. Sor Jor. 28/2558**

**Re: Additional Requirements Relating to the Issuance and Offer for Sale of Depository Receipts**

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By virtue of Section 72 and Section 81 of the *Securities and Exchange Act, B.E 2535 (1992)* and Clause 5 of the *Notification of the Capital Market Supervisory Board No. Tor Jor. 16/2558 Re: the Issuance and Offer for Sale of Newly Issued Securities in the Type of Depository Receipts* dated 9 April 2015, the SEC Office hereby issues the following regulations:

**Clause 1** This Notification:

(1) supplements the regulations under the *Notification of the Capital Market Supervisory Board concerning the Issuance and Offer for Sale of Newly Issued Securities in the Type of Depository Receipts*;

(2) imposes duties for relevant persons who have the obligations both before and after the offer for sale of depository receipts.

**Clause 2** This Notification provides the following requirements:

(1) the form of applications for the offer for sale of depository receipts and the submission of relevant supporting documents;

(2) the draft prospectus;

(3) the report on the sale of depository receipts to the public.

**Clause 3<sup>1</sup>** Any person may offer newly issued securities in the type of depository receipts for sale by submitting an application including supporting documents to the SEC Office in accordance with the guideline and methods provided on the website of the SEC Office.

The application for the approval of the offer for sale of depository receipts pursuant to paragraph one shall consist of the following applications:

(1) the application for the review of characteristics of the applicant;

(2) the application for the review of characteristics of the depository receipts.

**Clause 4** The form of the draft prospectus that the offeror of the depository receipts submits to the SEC Office may be, *mutatis mutandis*, in accordance with the rules on the submission of registration statements for the offer for sale of depository receipts pursuant to the *Notification of the Capital Market Supervisory Board concerning the Issuance and Offer for Sale of Newly Issued Securities in the Type of Depository Receipts*.

**Clause 5** The offeror of the depository receipts shall report the sale to the SEC Office in accordance with the following rules:

(1) the report on the sale of depository receipts which are not yet listed on the Stock Exchange of Thailand shall be made in accordance with the guideline and methods provided on the website of the SEC Office within fifteen days from the date on which the Stock Exchange of Thailand has accepted the listing of the depository receipts;

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<sup>1</sup> Amended by the *Notification of the Office of Securities and Exchange Commission No. Sor Jor. 56/2558 Re: Additional Requirements relating to the Issuance and Offer for Sale of Depository Receipts (No. 2)* dated 10 July 2015 (effective from 20 July 2015).

(2) for the offer for sale of depository receipts which have already been listed on the Stock Exchange of Thailand, if the offeror has already reported the number of the additional depository receipts which were in the respective offer in accordance with the rules of the Stock Exchange of Thailand, the offeror shall be deemed as having reported the sale to the SEC Office.

**Clause 6** This Notification shall come into force from 1 May 2015.

Notified this 9th day of April 2015.

- Signature -

(Mr. Vorapol Socratyanurak)  
Secretary-General  
Office of Securities and Exchange Commission