

**“Fill in Form 35-E1 via the SEC electronic filing system *only*. Then, print out the completed form, affix the authorized signature and submit the hardcopy to the SEC.”**

Unofficial translation

**FORM 35-E1**

**Information with Representation and Warranty  
of the Company’s Director and Executive and their Consent**

\_\_\_\_\_ [company’s name] \_\_\_\_\_  
filed on \_\_\_\_\_

**Position in the Company**

**Director**

- President
- President and Independent Director
- President Independent Director and Member of Audit Committee
- Director
- Independent Director
- Independent Director and Member of Audit Committee

**Executive**

- Executive (please specify title in the company) \_\_\_\_\_

**Date of Appointment :** \_\_\_\_\_

**Part 1 : General Information**

1.1 First name / Last name (in Thai) :

Title \_\_\_\_\_ First Name \_\_\_\_\_ Last name \_\_\_\_\_

First name / Last name (in English) :

Title \_\_\_\_\_ First Name \_\_\_\_\_ Last name \_\_\_\_\_

Former First name / Last name (if any) (in Thai)

Title \_\_\_\_\_ First Name \_\_\_\_\_ Last name \_\_\_\_\_ Date of Change \_\_\_\_\_

Former First name / Last name (if any) (in English)

Title \_\_\_\_\_ First Name \_\_\_\_\_ Last name \_\_\_\_\_ Date of Change \_\_\_\_\_

(Please specify all information on change of first name / last name since becoming *sui juris* and attach documents indicating such change)

1.2 Type of Card

- Identification Card
- Passport (only for non-Thai national)

Card Number : \_\_\_\_\_ Expiry Date : \_\_\_\_\_

(Please attach a copy of Passport)

1.3 Nationality : \_\_\_\_\_

1.4 Date of Birth : \_\_\_\_\_

[specify director or executive’s full name]

## 1.5 Current Address :

# \_\_\_\_\_ Village / Building \_\_\_\_\_  
 Moo \_\_\_\_\_ Trok / Soi \_\_\_\_\_  
 Road \_\_\_\_\_ Sub-district \_\_\_\_\_  
 District \_\_\_\_\_ Province \_\_\_\_\_  
 Zip Code \_\_\_\_\_ Country \_\_\_\_\_  
 Tel. \_\_\_\_\_ Fax. \_\_\_\_\_  
 E-mail \_\_\_\_\_  
 Overseas Address : (only for a non-Thai national, please specify overseas contact address)  
 \_\_\_\_\_

## 1.6 Academic Background

Highest Degree :  Lower than Bachelor Degree  Bachelor Degree and higher

Major : \_\_\_\_\_ Name of Institution : \_\_\_\_\_

Related academic background in case of member of audit committee

(Bachelor Degree or higher):

Accounting Name of Institution: \_\_\_\_\_

Finance Name of Institution: \_\_\_\_\_

## 1.7 Related training programs held by the Thai Institute of Directors Association (IOD)

Name of Program	Year of Attendance
<input type="checkbox"/> Director Certification Program (DCP)	_____
<input type="checkbox"/> Director Accreditation Program (DAP)	_____
<input type="checkbox"/> Audit Committee Program (ACP)	_____
<input type="checkbox"/> Finance for Non-Finance Director (FN)	_____
<input type="checkbox"/> The Role of Chairman (RCP)	_____
<input type="checkbox"/> Understanding the Fundamental of Financial Statements (UFS)	_____
<input type="checkbox"/> Role of the Compensation Committee (RCC)	_____
<input type="checkbox"/> Improving the Quality of Financial Reporting (QFR)	_____
<input type="checkbox"/> DCP Refresher Course	_____
<input type="checkbox"/> others (please specify)	_____

[specify director or executive's full name]

**Part 2: Characteristics Indicating Untrustworthiness**

1. Being a person having any of the following characteristics:

(1) I am an insolvent person, an incompetent or a quasi-incompetent person;  Yes  No

(2) I am a person not eligible to serve as director, manager, person with managerial authority or advisor of financial institution because of the possession of prohibited characteristics under Thai or foreign law related to supervision of financial institutions, and the barring period from serving as director, manager, person with managerial authority or advisor of financial institution has not been surpassed, provided that the prohibited characteristics involved with any of the following cases:

(a) Performing duty dishonestly or dishonest, deceitful, or fraudulent act relating to assets;  Yes  No

(b) Managing business in such a way that violates the law or fails to comply with the regulatory agency's order or improper management of business;  Yes  No

(c) Non-compliance of law, or unfair practice, or taking advantage of others;  Yes  No

(3) I was sentenced to imprisonment by the court's final judgment for the commission of any of the following public offences, regardless of whether the imprisonment was suspended, and it has not yet surpassed the three-year interval time after either the person completed the term of imprisonment or the suspension of sentence period was over:

(a) The offences under the second paragraph of Section 281/2, Section 289 in conjunction with Section 90 (only the case involving public fraud) or Section 306 to Section 315 of the Securities and Exchange Act B.E. 2535;  Yes  No

(b) The offences under Section 92 to Section 100, Section 125 in conjunction with Section 16 (only the case involving public fraud) or Section 145 to Section 150 of the Derivatives Act B.E. 2546.  Yes  No

(4) I was sentenced to imprisonment by the court's final judgment upon the commission of public offences regarding deceitful, fraudulent or dishonest management of assets and it has not yet surpassed the three-year interval time after either the person completed the term of imprisonment or the suspension of sentence period was over;  Yes  No

(5) I was subject to the court's final order of asset seizure under the Counter Corruption Act, the Anti-Money Laundering Act or any other similar laws and it has not yet surpassed the three-year interval time after the date on which the court issued such order;  Yes  No

(6) I am a person having the behavior considered as the commission of offences under (3) and was named in the SEC Office's complaint filed with the inquiry officer, and the case is in the inquiry officer's process or the public prosecutor's consideration and prosecution process or the court proceedings.  Yes  No

[specify director or executive's full name]

2. I am a person having the behavior considered as the commission of offences under Section 238, Section 240 to Section 243, the first paragraph of Section 281/2 and Section 281/10 of the Securities and Exchange Act B.E. 2535 prior to the amendment by the Securities and Exchange Commission Act (No. 5) B.E. 2559 (2016) which resulted in any of the following cases:

(1) I was sentenced to imprisonment by the court's final judgment in the case not filed by the SEC Office and it has not yet surpassed the three-year interval time after either the person completed the term of imprisonment or the suspension of sentence period was over;  Yes  No

(2) I was subject to the civil fine imposed by the Civil Sanction Committee with the written notice, and it has not yet surpassed the period specified by the SEC Office (the maximum period is three years);  Yes  No

(3) I was named in the criminal complaint filed by the SEC Office (If yes, please fill in item (a) or (b))  Yes  No

(a) The case is in the process (If the public prosecutor has issued the final non-prosecutorial order or the court has passed the final judgment to dismiss the case, it shall not be deemed as having untrustworthy characteristics);  Yes  No

(b) It has not yet surpassed the three-year interval time after either the person completed the term of imprisonment or the suspension of sentence period was over.  Yes  No

3. I was fined by the Criminal Fining Committee or named in the criminal complaint by the SEC Office which resulted in the possession of untrustworthy characteristics under the Notification of the Securities and Exchange Commission No. KorChor. 8/2553 Re: Determination of Untrustworthy Characteristics of Company Directors and Executives dated 23<sup>th</sup> April, 2010, and the period or condition specified under the said Notification has not been satisfied.  Yes  No

[specify director or executive's full name]

### Part 3 : Representation and Warranty

#### 3.1 Director and Executive's Representation and Warranty

(a) I have given the company my personal information as stated above and hereby represent and warrant that all information and supplementary documents are true and complete and do not contain any false statement or omit any fact that should have been expressly disclosed in material respects;

(b) I hereby acknowledge and give my permission for use of the information disclosed in this document for the purpose of rendering consideration whether to list my name onto the Issuing Company's Director and Executive Database provided by the SEC Office.

And I hereby give my permission to the SEC Office to disclose to the company and person appointed by the company the information as to whether I have any characteristics indicating untrustworthiness; and

(c) I hereby acknowledge that -

1. The SEC Office will list my name onto the Issuing Company's Director and Executive Database only if there is no reasonable ground to suspect that I have any characteristics indicating untrustworthiness;
2. Listing of my name onto the Issuing Company's Director and Executive Database destines solely for the purpose of consideration on the issuing company's qualification and will not, in any event, warrant that I do not have any characteristics indicating untrustworthiness. In addition, the listing thereof will not be deemed as giving approval to the director and executive of the company;
3. Where it is apparent to the SEC Office that I have characteristics indicating untrustworthiness, the SEC Office may de-list my name from the Issuing Company's Director and Executive Database. Besides, the SEC Office will de-list my name from the Issuing Company's Director and Executive Database upon the death or vacating from the position in the company or upon the retirement of obligation of the company where I hold position or work as to preparation and submission of report on financial condition and result of operation under Section 56 of the Securities and Exchange Act B.E. 2535 (1992). In case of vacating from the position in one company, the SEC Office may not de-list my name, if I remain holding position in or working for the other company also filing with the SEC Office my information for listing onto the Issuing Company's Director and Executive Database.

Name

Title

Signature

\_\_\_\_\_

[specify director or executive's full name]

3.2 The Company's Representation and Warranty

The company has reviewed the information stated in this Information with Representation and Warranty of Company's Director and Executive and found no reasonable ground to believe that information and supplementary documents are untrue and incomplete and contain any false statement or omit any fact that should have been expressly disclosed in material respects

In this regard, the company has appointed \_\_\_\_\_ as a coordinator for information relating to the said director and executive.

For the purpose of submitting this form by post, I hereby consent to formally interact with the SEC Office and be officially informed by the SEC Office via e-mail. In addition, in case my form is incomplete and the SEC Office has already informed such incompleteness by e-mail, it is deemed that I entirely assent to such informed incompleteness as well as the period of time to rectify the form or additionally deliver evidentiary documentation as specified by the SEC Office.

	Name	Title	Signature*
1.	_____	_____	_____
2.	_____	_____	_____

Do not use this sample form for submission

\_\_\_\_\_  
\* Authorized signatory of the company shall sign this Form and affix the corporate seal hereto (if any)