



## BANK OF THAILAND

### Public Handbook : A Waiving Request for Information Reporting about the Ultimate Beneficial Owner of Debt Securities

Department in Charge : Data Management and Analytics Department, Bank of Thailand

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#### Regulations, procedures and conditions (if any) for application submission and consideration process

##### 1. Relevant Regulations

- 1) The Bank of Thailand Act B.E. 2485 (A.D. 1942) as amended by the Bank of Thailand Act (No.4) B.E. 2551 (A.D. 2008) Section 10 prescribes that the Bank of Thailand (hereafter “the Bank”) shall be empowered to order persons who conduct monetary transactions and international investment transactions to submit the information relating the said transactions to the Bank in accordance with the rules and conditions prescribed by the Bank and published in the Government Gazette.
- 2) The Notification of the Bank of Thailand No. Sor.Ro.Kho 2/2565, Re: Information Reporting about the Ultimate Beneficial Owner of Debt Securities , prescribes that an ultimate beneficial owner, a local custodian, a global custodian, an international broker, a depository, and a registrar shall disclose or report the information about holding of debt securities to the Bank, according to the reporting templates and practices prescribed by the Bank. In case that disclosure or reporting cannot be delivered to the Bank due to reasonably necessary ground, an ultimate beneficial owner, a local custodian, a global custodian, an international broker, a depository, or a registrar shall submit a waiving request (hereafter “Request”) to the Bank to seek for approval. The Bank may approve the application deemed appropriate. Further information can be obtained from the Bank’s website.

<https://www.bot.or.th/Thai/FIPCS/Documents/FPG/2565/EngPDF/25650042.pdf>

##### 2. Conditions for Submission

In case where it is necessary, Persons responsible for report are required to submit a Request accompanied with documents as specified. Approved application is subject to conditions imposed.

### 3. Submission Procedures

- 1) Persons responsible for report are required to submit a Request accompanied with documents endorsed by authorized person through designated service channels.
- 2) Timing of procedures shall commence upon the receipt of complete documents verified by officer-in-charge (hereafter "Officer") as referred in the public handbook. If it deems that either Request or/and documents are incomplete causing incapable consideration, Officer shall record a defect of documents or a request for additional document in a written Memo of fault record (hereafter "Memo"). It follows that Applicant shall improve submitted documents and/or re-submit further documents within the time specified, otherwise, such Request shall be regarded as cancellation. In such case, Officer and Applicant or authorized person shall enter their names in the Memo. As evidence, a copy of Memo will be given to Applicant or authorized person.
- 3) In the case that Applicant is unable to hand in document in person, Applicant shall assign authorized person to conclude a Bilateral Memo as prescribed in the Section 8 of the Licensing Facilitaion Act B.E. 2558 (A.D. 2015). "If the Bank verifies that documents are incorrect or incomplete where Applicant is not authorized person, then the Bank shall not accept such Request due to short of eligibility of Applicant to conclude a Bilateral Memo with Officer."
- 4) In the case that Applicant submits documents by postage where the Bank verifies and encounters incomplete documents as referred in the public handbook, the Bank shall issue a notification to Applicant. Remedy should be carried out within 15 days commencing from the postage date of notification issuance. This shall be regarded as an agreement between Applicant and Officer.
- 5) In the case that Applicant fails to make clarification or provide required documents within the time specified, the Bank shall consider such Request as revocation. Applicant is allowed to submit a new Request for re-consideration if clarification or provision of complete document required by the Bank is fulfilled.
- 6) The Bank shall not yet consider any Request unless Applicant has made amendments in the Request or delivered complete document as mentioned in the Memo.
- 7) The Bank shall notify result of consideration to the Applicant within 7 days after justification was made as per the Section 10 of the Licensing Facilitation Act, B.E. 2558 (A.D. 2015).

- 8) To facilitate the process of Request submission, Applicant is able to submit a Request and documents to the Bank for preliminary verification by Email :

[DMD-FinMktDataT@bot.or.th](mailto:DMD-FinMktDataT@bot.or.th) or contact 0 2283 5173, 0 2283 5192 or 0 2356 7258.

### Service Channels

<p><b>1) Visiting the Bank of Thailand</b></p> <p><b>Venue:</b>  <i>Data Management and Analytics Department,  Bank of Thailand, Head Office  273 Samsen Road, Watsamphraya,  Phra Nakhon District, Bangkok 10200  Tel : 0 2283 5192 or 0 2356 7258</i></p> <p><i>(Remarks: Public holidays are bank holidays announced by the Bank of Thailand. To facilitate the entry of premise, please kindly notify-information including name, visiting time, date and telephone number at least one working day prior to submission date at 0 2283 5192 or 0 2356 7258 or E-mail address: DMD-FinMktDataT@bot.or.th)</i></p>	<p><b>Office hours :</b>  <i>Monday – Friday (except public holidays)  From 08:30 a.m. – 04:30 p.m. (lunch break)</i></p>
<p><b>2) Postage</b></p> <p><b>Venue:</b>  <i>Data Management and Analytics Department,  Bank of Thailand, Head Office  273 Samsen Road, Watsamphraya,  Phra Nakhon District, Bangkok 10200  (Remarks: Public holidays are bank holidays announced by the Bank of Thailand.)</i></p>	<p><b>Office hours :</b>  <i>Monday – Friday (except public holidays)  From 08:30 a.m. – 04:30 p.m. (lunch break)</i></p>

Procedures, duration and Department in charge

Service duration : 30 days

No.	Procedures	Duration (days)	Department in charge
1)	<p><b>Document verification</b></p> <p>1. Verify submitted documents to ensure completeness.</p> <p>2. If documents are not sufficient or incorrect, Applicant will be notified to improve submitted documents within the time specified or otherwise, the Bank shall consider such Request as revocation.</p>	1	Data Management and Analytics Department
2)	<p><b>Consideration Process</b></p> <p>1. Justify reasons and necessities of Request.</p> <p>2. Applicant may be notified to provide further documents if the submitted evidence is not sufficient.</p> <p>3. Making consideration and/or consulting related personnel.</p> <p>4. Present the result of consideration to line management for approval and prepare correspondence.</p>	28	Data Management and Analytics Department
3)	<p><b>Notificaiton of Result</b></p>	1	Data Management and Analytics Department

List of documents to be attached

No.	Document, number of copy and additional documents (if any)	Issuing Government Agency
1)	Letter of waiving request, specifying rationale reasons or necessities and duration for waiving. Original : 1 copy Copy : nil Remarks: –	-
2)	Other supporting documents for consideration (if any) Original : 1 copy Copy : nil Remarks: –	-

Fees

No.	Details of fees	Fees (Baht / Percentage)
<i>No fee</i>		

Complaint channel and Service recommendation

No.	Complaint Channel / Service Recommendation
1)	Data Management and Analytics Department Tel : 0 2283 5173 , 0 2283 5192 or 0 2356 7258 Email : DMD-FinMktDataT@bot.or.th (Remarks: -)

Form, Example and Fill-in manual

No.	Report Form
<i>None</i>	

Remarks -