

## **PUBLIC HANDBOOK: Request to Change Information of an Authorized Company (After License Approval)**

**Service Unit:** Foreign Exchange Administration and Policy Department, Bank of Thailand (BOT)

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### **Rules, Methods and Conditions (if any) in Making and Considering a Request**

1. The license that the Minister granted to an authorized company is only applicable for the business premise indicated in the authorized company's license request.

In case the authorized company wishes to change its business premise, the authorized company must submit a request to the Competent Officer, including reasons for change, along with related documents. The authorized company may change its business premise when approved by the Competent Officer.

2. Persons with any one of the following prohibited characteristics shall not be appointed as controlling directors, executive directors, managers or persons with power of management.

(1) Being a person subjected to the court's receiving order or a bankrupted person;

(2) Having been subjected to imprisonment by judgment of the court which is final for offences under the Exchange Control Act; or

(3) Being connected to or having committed offences under the Anti-Money Laundering Act.

In case a person acting as controlling director, executive director, manager or person with power of management, is discovered to possess any prohibited characteristics, the authorized company must replace such person within 15 days, counting from the day of fact appearance or notification from the Competent Officer.

3. In case of change in the status/name of the juristic person, name of business premise, shareholders/proportions of shareholding, or controlling directors, executive directors, managers or persons with power of management, the authorized company must report such change in writing and submit all related documents to the Competent Officer within 15 days, counting from the day that the change is made in the registry.

In case of change in controlling directors, executive directors, managers or persons with power of management, a letter of certification of qualifications must be prepared to certify that

such persons do not possess any prohibited characteristics according to the requirements stipulated by the Competent Officer.

4. In case the authorized company wishes to open new location(s) of business operation at the same business premise as previously authorized, a request must be submitted in writing along with all related documents.

5. In case of change in location of business operation at the same business premise, the authorized company must notify such change in writing and submit all related documents to the Competent Officer within 15 days, counting from the day of change.

6. In case of change in business premise and open new location(s) / change in location of business operation at the same business premise, after the Competent Officer and the requester agree to inspect the premise indicated in the request and the Competent Officer notifies the requester via email or fax, the requester must be ready for inspection to take place. If the requester is not ready for inspection within the timeframe stipulated by the Competent Officer, the Competent Officer shall not consider the request and shall return the request and all documents to the requester.

#### 7. Request and related documents

(1) The request and all related documents must be signed by the authorized signatory and stamped with a corporate seal (if any).

(2) If the information and documents are in languages other than Thai or English, a translation into Thai or English must be provided and signed by the authorized signatory and stamped with a corporate seal (if any).

#### 8. Request submission

(1) In person (in case the requester cannot submit the request in person, the requester must prepare a power of attorney to authorize a messenger to submit the request and prepare a two-party memo in case the documents are incorrect or incomplete as required by Section 8 of the Licensing Facilitation Act B.E. 2558. If no power of attorney is prepared for the messenger and the Bank of Thailand finds that the documents submitted are incorrect or incomplete, the Bank of Thailand will not be able to accept the request since the messenger is not authorized to act as a signatory in the two-party memo.) (An example of a power of attorney is in the attachment to this public handbook.)

(1.1) The Competent Officer verifies the request and related documents at the time of submission.

(1.2) In case of correct and complete information – the request is accepted.

(1.3) In case of incorrect or incomplete information

- Notify the requester or the messenger to revise the documents immediately. If revision cannot be made immediately, a memo on incomplete information shall be prepared, stating the timeframe for revision, and signed by the two parties.

- If documents submitted by the requester continue to miss certain information as indicated in the two-party memo, or the requester cannot comply with the request for revision within the timeframe stipulated, the Competent Officer shall return the request and all related documents to the requester.

(2) Via post

(2.1) The Competent Officer verifies the request and related documents.

(2.2) In case of correct and complete information – the request is accepted.

(2.3) In case of incorrect or incomplete information

- Notify the requester by preparing a memo on incomplete information, signed by the Competent Officer receiving the request, and sent via registered post, email or fax. The requester must sign the memo, indicate the timeframe for revision, and send it back to the Bank of Thailand via registered post, email or fax. Then, the requester must correctly and completely submit documents as required within the stipulated timeframe.

- If documents submitted by the requester continue to miss certain information as indicated in the memo, or the requester cannot submit documents as informed within the timeframe stipulated, the Competent Officer shall return the request and all related documents to the requester.

9. Afterwards, if the Competent Officer finds that the information and documents are incorrect or inconsistent, the Competent Officer may ask the requester to provide additional clarification, otherwise the information submitted by the requester shall be deemed as not having enough weight to be used in considering the request.

10. After the Competent Officer has contacted the requester via registered post, email or fax as indicated in the request, it shall be deemed that all communicated information is fully and immediately acknowledged by the requester.

11. The procedures outlined in this public handbook shall start once the Competent Officer has verified that all documents as indicated in this public handbook are correct and complete. Where the request or related documents are incorrect, incomplete and/or miss certain information, rendering it impossible to be considered, the Competent Officer shall prepare a memo on incomplete information or additional documents to be submitted. The requester must revise such documents and/or submit additional documents within the timeframe stipulated in the said memo; otherwise it shall be deemed that the request is abandoned by the requester. The Competent Officer and the requester or the authorized person shall sign the memo, a copy of which shall be given as a record of evidence to the requester or the authorized person.

12. Under normal circumstances, the approval consideration process shall take 15 days, counting from the day that the request and all documents are received by the Bank of Thailand, where the contents of such must be correct and complete. However, if additional verification/inspection is required e.g. verification of qualifications of controlling directors, executive directors, managers or persons with power of management in accordance with the Anti-Money Laundering Act or inspection of business premise indicated in the request, the Bank of Thailand shall require an additional 15 days to carry out such verification/inspection. Thus, the total processing time is 30 days, counting from the day that the request and all documents are received, where the contents of such must be correct and complete.

13. The Bank of Thailand shall notify the requester of the results within 7 days, counting from the day that consideration is finalized, in accordance with Section 10 of the Licensing Facilitation Act B.E. 2558.

### **Channels of Service**

<b><i>Location of Service</i></b> <i>(Remark: (Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand. To facilitate access to the Bank of Thailand's</i>	<b><i>Operating Hours:</i></b> <i>Monday – Friday (except public holidays) during 8.30 a.m. – 3.00 p.m. (with break at noon)</i>
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<p>grounds, please give name, date, time and tel. number to 0-2283-5416 or 0-2283-5117.))</p> <p>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarters) 273 Samsen Road, Watsamphraya Sub-district, Phra Nakhon District, Bangkok 10200, Tel. 0 2283-5416 and 0-2283-5117/contact in-person at responsible unit)</p>	
<p><b>Location of Service</b> (Remark: (Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</p> <p>Financial Literacy and Consumer Protection Division, Bank of Thailand (Southern Region Office) 472 Phetkasem Road, Hat Yai Sub-district, Hat Yai District, Songkhla 90110, Tel 0-7423-4746, 0-7424-4655, 0-7422-0345/contact in-person at responsible unit)</p>	<p><b>Operating Hours:</b> Monday – Friday (except public holidays) during 8.30 a.m. – 3.00 p.m. (with break at noon)</p>
<p><b>Location of Service</b> (Remark: (Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</p> <p>Financial Literacy and Consumer Protection Division, Bank of Thailand (Northeastern Region Office) 45 Nikorn Samran Road, Nai Mueang Sub-district, Mueang District, Khon Kaen 40000, Tel. 0-4391-3571, 0-4391-3574/contact in-person at responsible unit)</p>	<p><b>Operating Hours:</b> Monday – Friday (except public holidays) during 8.30 a.m. – 3.00 p.m. (with break at noon)</p>

<p><b>Location of Service</b>  <i>(Remark: (Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</i></p> <p>Financial Literacy and Consumer Protection Division, Bank of Thailand (Northern Region Office) 68/3 Chotana Road, Chang Phuek Sub-district, Muang Chiang Mai District, Chiang Mai 50300, Tel. 0-5393-1094, 0-5393-1114, 0-5393-1116/contact in-person at responsible unit)</p>	<p><b>Operating Hours:</b>  Monday – Friday (except public holidays) during 8.30 a.m. – 3.00 p.m. (with break at noon)</p>
<p><b>Location of Service</b>  <i>(Remark: (In case the request and related documents arrive at the responsible unit after 4.30 p.m., it shall be deemed as received on the next business day. Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</i></p> <p>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarters) 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200/via post</p>	<p><b>Operating Hours:</b>  Monday – Friday (except public holidays) during 8.30 a.m. – 4.30 p.m.</p>
<p><b>Location of Service</b>  <i>(Remark: (In case the request and related documents arrive at the responsible unit after 4.30 p.m., it shall be deemed as received on the next business day. Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</i></p>	<p><b>Operating Hours:</b>  Monday – Friday (except public holidays) during 8.30 a.m. – 4.30 p.m.</p>

<p><i>Financial Literacy and Consumer Protection Division, Bank of Thailand (Southern Region Office) 472 Phetkasem Road, Hat Yai Sub-district, Hat Yai District, Songkhla 90110/via post</i></p>	
<p><b>Location of Service</b>  <i>(Remark: (In case the request and related documents arrive at the responsible unit after 4.30 p.m., it shall be deemed as received on the next business day. Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</i></p> <p><i>Financial Literacy and Consumer Protection Division, Bank of Thailand (Northeastern Region Office) 45 Nikorn Samran Road, Nai Mueang Sub-district, Mueang District, Khon Kaen 40000/via post</i></p>	<p><b>Operating Hours:</b>  <i>Monday – Friday (except public holidays) during 8.30 a.m. – 4.30 p.m.</i></p>
<p><b>Location of Service</b>  <i>(Remark: (In case the request and related documents arrive at the responsible unit after 4.30 p.m., it shall be deemed as received on the next business day. Public holidays mean public holidays for financial institutions as announced by the Bank of Thailand.))</i></p> <p><i>Financial Literacy and Consumer Protection Division, Bank of Thailand (Northern Region Office) 68/3 Chotana Road, Chang Phuek Sub-district, Muang Chiang Mai District, Chiang Mai 50300/via post</i></p>	<p><b>Operating Hours:</b>  <i>Monday – Friday (except public holidays) during 8.30 a.m. – 4.30 p.m.</i></p>

## Procedures, Service Time and Responsible Units

Total time: 30 days

No.	Procedures	Service Time	Responsible Unit
1)	<p><b>Document verification</b></p> <p>The authorized company submits a request and all related documents to the Competent Officer. The Competent Officer verifies that the request and all related documents are correct and complete.</p> <p><i>(Remark: In case of submission to a region office (Southern Region Office, Northeastern Region Office and Northern Region Office), the Financial Literacy and Consumer Protection Division of that office is the responsible unit.)</i></p>	1 day	Foreign Exchange Administration and Policy Department
2)	<p><b>Consideration</b></p> <p>Consider the qualifications.</p> <p><i>(Remark: In case of submission to a region office (Southern Region Office, Northeastern Region Office and Northern Region Office), the Financial Literacy and Consumer Protection Division of that office is the responsible unit.)</i></p>	7 days	Foreign Exchange Administration and Policy Department
3)	<p><b>Consideration by other agencies</b></p> <p>Additional verification – verify the qualifications of controlling directors, executive directors, managers or persons with power of management in accordance with the Anti-Money Laundering Act.</p> <p><i>(Remark: In case of change in controlling directors, executive directors, managers or persons with power of management.)</i></p>	15 days	Anti-money Laundering Office
4)	<p><b>Consideration</b></p>	15 days	Foreign Exchange Administration



	<p>Additional inspection – inspect the business premise indicated in the request.</p> <p><i>(Remark: 1.For change in business premise/ change in location of business operation at the same business premise/open new location(s) of business operation at the same business premise.</i></p> <p><i>2. In case of submission to a region office (Southern Region Office, Northeastern Region Office and Northern Region Office), the Financial Literacy and Consumer Protection Division of that office is the responsible unit.)</i></p>		and Policy Department
5)	<p><b>Consideration</b></p> <p>Submit to the Bank of Thailand executives for consideration of a change in information.</p> <p><i>(Remark: In case of submission to a region office (Southern Region Office, Northeastern Region Office and Northern Region Office), the Financial Literacy and Consumer Protection Division of that office is the responsible unit.)</i></p>	7 days	Foreign Exchange Administration and Policy Department

#### Documents to be Attached

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
1)	<p><b>Request in the required format</b></p> <p><b>Original 1</b></p> <p><b>Copy 0</b></p> <p><b>Remark:</b> (signed by the authorized signatory and stamped with a corporate seal (if any), downloaded from <a href="http://www.bot.or.th">www.bot.or.th</a> / Financial Markets / Foreign Exchange Regulations / Foreign</p>	Foreign Exchange Administration and Policy Department

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	Exchange Business / Authorized Company / Request and Letter of Certification of Qualifications)	
2)	<p><b>Letter of certification of the controlling directors, executive directors, managers or persons with power of management’s qualifications</b></p> <p>Original 1 Copy 0</p> <p><b>Remark:</b> (1. Only for change in controlling directors, executive directors, managers or persons with power of management. 2. Signed by the authorized signatory and stamped with a corporate seal (if any), downloaded from <a href="http://www.bot.or.th">www.bot.or.th</a> / Financial Markets / Foreign Exchange Regulations / Foreign Exchange Business / Authorized Company / Request and Letter of Certification of Qualifications)</p>	Foreign Exchange Administration and Policy Department
3)	<p><b>Copies of national ID cards or passports of the controlling directors, executive directors, managers or persons with power of management</b></p> <p>Original 0 Copy 1</p> <p><b>Remark:</b> (1. Only for change in controlling directors, executive directors, managers or persons with power of management. 2. All pages must be signed to certify true copy by the card owners or authorized signatories and stamped with a corporate seal (if any).)</p>	Department of Provincial Administration

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
4)	<p>Copy of the letter of certification of the Ministry of Commerce, issued within the last 6 months of the date that the request was submitted</p> <p><b>Original</b> 0</p> <p><b>Copy</b> 1</p> <p><b>Remark:</b> (1. Certify list of directors/authorized signatories/registered capital/location of business premise.</p> <p>2. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	Department of Business Development
5)	<p><b>Copy of the revision of the memorandum of association(if any)</b></p> <p><b>Original</b> 0</p> <p><b>Copy</b> 1</p> <p><b>Remark:</b> (1. Only for</p> <p>1.1 change in status/name of juristic person</p> <p>1.2 change in registered capital/paid-up capital.</p> <p>2. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	Department of Business Development
6)	<p><b>Copy of the most recent list of shareholders, certified by the Ministry of Commerce within the last 6 months of the date that the request was submitted</b></p> <p><b>Original</b> 0</p> <p><b>Copy</b> 1</p> <p><b>Remark:</b> (1. Only for</p> <p>1.1 change in status/name of juristic person or name of business premise</p> <p>1.2 change in registered capital/paid-up capital</p> <p>1.3 change in shareholders/proportion of shareholding.</p>	Department of Business Development

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	2. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)	
7)	<p><b>Map and photos showing location of business premise</b>  Original 0  Copy 1  <b>Remark:</b> (1. Only for  1.1 change in business premise  1.2 change in location / open new location(s) of business operation at the same business premise as previously authorized.  2. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
8)	<p><b>Floor plan and photos showing location(s) of business operation</b>  Original 0  Copy 1  <b>Remark:</b> (1. Only for  1.1 change in business premise  1.2 change in location / open new location(s) of business operation at the same business premise as previously authorized.  2. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
9)	<p><b>Document showing that the requester has or will have the right to use the business premise e.g. copy of the rental agreement or letter of consent for use of business premise, together with copies of national ID cards of the tenant, landlord/person giving consent</b></p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>for use of business premise, copy of the housing registration and the most recent letter of certification of the Ministry of Commerce to the landlord/person giving consent (in case the landlord/person giving consent is a juristic person)</p> <p>Original 0 Copy 1</p> <p><b>Remark:</b> (1. Only for change in business premise. 2. All pages of document showing that the requester has or will have the right to use the business premise must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any). 3. Copies of national ID cards or passports must be signed to certify true copy by the owners or the authorized signatories and stamped with a corporate seal (if any).)</p>	
10)	<p><b>Official notification of a change in registered address</b></p> <p>Original 0 Copy 1</p> <p><b>Remark:</b> (1. Only for change in registered address. 2. All pages of document must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
11)	<p><b>Copy of the license to operate a business of an authorized company</b></p> <p>Original 0 Copy 1</p>	Fiscal Policy Office

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<b>Remark:</b> (signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)	
12)	<p><b>Power of attorney to submit a request and act as a signatory in a two-party memo in case of incomplete information, along with copies of national ID cards or passports of the principal and the authorized person (in case the authorized signatory does not submit the request in person)</b></p> <p>Original 1 Copy 0</p> <p><b>Remarks:</b> (1. The power of attorney must be signed by the authorized signatory and stamped with a corporate seal (if any), the authorized person, and witnesses. 2. Copies of national ID cards or passports must be signed to certify true copy by the owners or the authorized signatories and stamped with a corporate seal (if any).)</p>	-

#### Fees

No.	Fees Details	Rate (baht/%)
1)	None (Remark: -)	0

#### Channels for Complaints and Suggestions

No.	Channels for Complaints/Suggestions
1)	<i>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarters)</i>

	<i>(Remark: 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200, Tel. 0-2283-5325)</i>
2)	<i>Financial Literacy and Consumer Protection Division, Bank of Thailand (Southern Region Office) (Remark: 472 Phetkasem Road, Hat Yai Sub-district, Hat Yai District, Songkhla 90110, Tel. 0-7427-2000 ext. 4520)</i>
3)	<i>Financial Literacy and Consumer Protection Division, Bank of Thailand (Northeastern Region Office) (Remark: 45 Nikorn Samran Road, Nai Mueang Sub-district, Mueang District, Khon Kaen 40000, Tel. 0-4391-3570)</i>
4)	<i>Financial Literacy and Consumer Protection Division, Bank of Thailand (Northern Region Office) (Remark: 68/3 Chotana Road, Chang Phuek Sub-district, Muang Chiang Mai District, Chiang Mai 50300, Tel. 0-5393-1119)</i>

#### Forms, Examples and Instructions

No.	Document Names
1)	Request form (for authorized company) <i>(Remark: -)</i>
2)	Letter of certification of qualifications form (for authorized company)
3)	Example of power of attorney (for authorized company) <i>(Remark: -)</i>

#### Remark

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This document can be downloaded from the government information portal

[www.info.go.th](http://www.info.go.th)

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