

PUBLIC HANDBOOK: Request to Change Information of a Treasury Centre (After License Approval)

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

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

1. In case of change in the status/name of the juristic person that operates a business of a treasury centre or companies or branches in the corporate groups; or decrease in the number of companies or branches in the corporate groups that does not affect the qualifications to operate a business of a treasury centre; or decrease in the scope of business of a treasury centre; the treasury centre shall 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 or the day of the change, as the case may be.

In case of increase in the scope of business of a treasury centre that is still within the limit stipulated in the Notification of the Ministry of Finance, the treasury centre shall report such change in writing and submit all related documents to the Competent Officer before the day of the change. If the Competent Officer does not object in writing within 15 days, counting from the day the change is informed, the treasury centre may carry out transactions within the scope of business as notified.

2. In case a treasury centre adds companies or branches in the corporate groups for which the treasury centre will manage their FX; or adds foreign corporate groups, companies or branches to which the treasury centre wishes to lend money, an approval must be sought from the Competent Officer prior to proceeding.

3. 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).

4. 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.

5. 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.

6. 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.

7. 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 other documents are incorrect, incomplete and/or missing 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.

8. The Bank of Thailand shall finalize its consideration within 25 days, counting from the day that the request and all documents are received, where the contents of such must be correct and complete.

9. 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

<p>Location of Service <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 grounds, please give name, date, time and tel. number to 0-2283-5135.)</i></p> <p><i>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarter) 273 Samsen Road, Watsamphraya Sub-district, Phra Nakhon District, Bangkok 10200, Tel. 0 2283-5135/contact in-person at responsible unit)</i></p>	<p>Operating Hours: <i>Monday – Friday (except public holidays) during 8.30 a.m. – 3.00 p.m. (with break at noon)</i></p>
<p>Location of Service <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>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarter) 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200/via post</i></p>	<p>Operating Hours: <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: 25 days

No.	Procedures	Service Time	Responsible Unit
1)	<p>Document verification</p> <p>The treasury centre 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: -)</i></p>	1 day	Foreign Exchange Administration and Policy Department
2)	<p>Consideration</p> <p>Consider the qualifications.</p> <p><i>(Remark: -)</i></p>	17 days	Foreign Exchange Administration and Policy Department
3)	<p>Consideration</p> <p>Submit to the Bank of Thailand executives for consideration of a change in information.</p> <p><i>(Remark: -)</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>Request to change information (including details)</p> <p>Original 1 Copy 0</p> <p>Remark: (Signed by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
2)	<p>Copy of the letter of certification of registered capital, issued by the issuing</p>	Department of Business Development

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>authority within the last 6 months of the date that the request was submitted</p> <p>Original 0 Copy 1</p> <p>Remark: (For</p> <p>1.1 Change in status/name of juristic person that operates a business of a treasury centre or companies or branches in the corporate groups</p> <p>1.2 Decrease in the number companies or branches in the corporate groups</p> <p>1.3 Decrease or increase in the scope of business of the treasury centre</p> <p>1.4 Change in structure/proportion of shareholding of the treasury centre, companies or branches in the corporate groups, or foreign companies or branches to which the treasury centre wishes to lend money</p> <p>1.5 Adding companies or branches in the corporate groups for which the treasury centre will manage their FX</p> <p>1.6 Adding foreign corporate groups or foreign companies and branches to which the treasury centre wishes to lend money</p> <p>2. Signed by the authorized signatory and stamped with a corporate seal (if any).)</p>	
3)	<p>The most recent copy of the letter of certification of registered capital of the corporate groups or an official document showing branch status (in case the groups are foreign branches)</p> <p>Original 0 Copy 1</p> <p>Remark: (For</p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>1.1 Change in status/name of juristic person that operates companies or branches in the corporate groups</p> <p>1.2 Adding companies or branches in the corporate groups for which the treasury centre will manage their FX</p> <p>1.3 Adding foreign corporate groups or foreign companies and branches to which the treasury centre wishes to lend money</p> <p>2. Signed by the authorized signatory and stamped with a corporate seal (if any).)</p>	
4)	<p>Copy of the memorandum of association and its revision (if any) of a treasury centre</p> <p>Original 0</p> <p>Copy 1</p> <p>Remark: (1. For change in status/name of juristic person that operates a business of a treasury centre.</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>Copy of the memorandum of association or its revision (if any) of the corporate groups or a related official document (in case of foreign corporate groups)</p> <p>Original 0</p> <p>Copy 1</p> <p>Remark: (1. For</p> <p>1.1 Change in status/name of juristic person that operates companies or branches in the corporate groups</p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>1.2 Adding companies or branches in the corporate groups for which the treasury centre will manage their FX</p> <p>1.3 Adding foreign corporate groups or foreign companies and branches to which the treasury centre wishes to lend money</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>	
6)	<p>Copy of the most recent list of shareholders of the treasury centre, certified by the issuing authority within the last 6 months of the date that the request was submitted</p> <p>Original 0 Copy 1</p> <p>Remark: (1. For</p> <p>1.1 Change in status/name of juristic person that operates a business of a treasury centre</p> <p>1.2 Change in structure/proportion of shareholding of the treasury centre.</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>	-
7)	<p>Copy of the most recent list of shareholders of the corporate groups</p> <p>Original 0 Copy 1</p> <p>Remark: (1. For</p> <p>1.1 Change in status/name of juristic person that operates companies or branches in the corporate groups</p> <p>1.2 Change in structure/proportion of shareholding of companies or branches in the</p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>corporate groups or foreign companies or branches, to which the treasury centre wishes to lend money</p> <p>1.3 Adding companies or branches in the corporate groups for which the treasury centre will manage their FX</p> <p>1.4 Adding foreign corporate groups or foreign companies and branches to which the treasury centre wishes to lend money</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>	
8)	<p>The most recent audited financial statements of the foreign corporate groups and foreign companies or branches in the same business network as the treasury centre and the corporate groups, to which the treasury centre wishes to lend money</p> <p>Original 0 Copy 1</p> <p>Remark: (1. For</p> <p>1.1 Adding companies or branches in the corporate groups for which the treasury centre will manage their FX</p> <p>1.2 Adding foreign corporate groups or foreign companies and branches to which the treasury centre wishes to lend money</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>	-
9)	<p>Official document in case of a change in the juristic person's name</p> <p>Original 0</p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>Copy 1</p> <p>Remark: (1. For change in status/name of the juristic person that operates a business of a treasury centre, companies or branches in the corporate groups.</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>	
10)	<p>Internal document to assign or delegate authority in place of a letter of consent of the corporate groups (in case the treasury centre manages FX for other businesses of a company that operates a business of a treasury centre, i.e. its business)</p> <p>Original 0</p> <p>Copy 1</p> <p>Remark: (1. For</p> <p>1.1 Adding companies or branches in the corporate groups for which the treasury centre will manage their FX</p> <p>1.2 Adding foreign corporate groups or foreign companies and branches to which the treasury centre wishes to lend money</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>	-
11)	<p>Power of attorney to act as a signatory for the authorized signatory, along with copies of national ID cards or passports of the principal and the authorized person</p> <p>Original 1</p> <p>Copy 0</p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>Remarks: (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.</p> <p>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>	
12)	<p>Power of attorney to submit a request and act as a signatory in a two-party memo in 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)</p> <p>Original 1 Copy 0</p> <p>Remarks: (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.</p> <p>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 (Headquarter) (Remark: 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200, Tel. 0-2283-5325)</i>

Forms, Examples and Instructions

No.	Channels for Complaints/Suggestions
1)	<i>Example of power of attorney (for treasury centre) (Remark: -)</i>

Remark

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This document can be downloaded from the government information portal

www.info.go.th

Effective date: 21/07/2015