

PUBLIC HANDBOOK: Submission of Letter of Certification of Treasury Centre Business' Qualifications

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. A treasury centre must submit a letter of certification of treasury centre business' qualifications and all related documents to the Competent Officer before the deadline for annual license extension. The letter shall only be submitted 90 – 120 days before the deadline for annual license extension in a given year.

2. Letter of certification of qualifications and related documents

(1) The letter of certification of qualifications and 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).

3. Submission of letter of certification of qualifications

(1) In person (in case the person submitting the letter of certification of qualifications cannot submit the letter of certification of qualifications in person, such person must prepare a power of attorney to authorize a messenger to submit the letter of certification of qualifications 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 certification of qualifications 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 letter of certification of qualifications and related documents at the time of submission.

(1.2) In case of correct and complete information – the letter of certification of qualifications is accepted.

(1.3) In case of incorrect or incomplete information

- Notify the person submitting the letter of certification of qualifications 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 person submitting the letter of certification of qualifications continue to miss certain information as indicated in the two-party memo, or the person submitting the letter of certification of qualifications cannot comply with the request for revision within the timeframe stipulated, the Competent Officer shall return the letter of certification of qualifications and all related documents to the person submitting the letter of certification of qualifications.

(2) Via post

(2.1) The Competent Officer verifies the letter of certification of qualifications and related documents at the time of submission.

(2.2) In case of correct and complete information – the letter of certification of qualifications is accepted.

(2.3) In case of incorrect or incomplete information

- Notify the person submitting the letter of certification of qualifications by preparing a memo on incomplete information, signed by the Competent Officer receiving the letter of certification of qualifications, and send via registered post, email or fax. The person submitting the letter of certification of qualifications 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 person submitting the letter of certification of qualifications must correctly and completely submit documents as required within the stipulated timeframe.

- If documents submitted by the person submitting the letter of certification of qualifications continue to miss certain information as indicated in the memo, or the person submitting the letter of certification of qualifications cannot submit documents as informed within the timeframe stipulated, the Competent Officer shall return the letter of certification of qualifications and all related documents to the person submitting the letter of certification of qualifications.

4. Afterwards, if the Competent Officer finds that the information and documents are incorrect or inconsistent, the Competent Officer may ask the person submitting the letter of

certification of qualifications to provide additional clarification, otherwise the information submitted by the person submitting the letter of certification of qualifications shall be deemed as not having enough weight to be used in considering the request.

5. After the Competent Officer has contacted the person submitting the letter of certification of qualifications via registered post, email or fax, it shall be deemed that all communicated information is fully and immediately acknowledged by the person submitting the letter of certification of qualifications.

6. 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 letter of certification of qualifications 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 person submitting the letter of certification of qualifications must revise such documents and/or submit additional documents within the timeframe stipulated in the said memo; otherwise it shall be deemed that the letter of certification of qualifications is abandoned by the person submitting it. The Competent Officer and the person submitting the letter of certification of qualifications or the authorized person shall sign the memo, a copy of which shall be given as a record of evidence to the person submitting the letter of certification of qualifications or the authorized person.

7. The Bank of Thailand shall finalize its consideration within 30 days, counting from the day that the letter of certification of qualifications and all documents are received, where the contents of such must be correct and complete.

8. The Bank of Thailand shall notify the person submitting the letter of certification of qualifications 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 (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.))</p> <p>Bank of Thailand (Headquarter) 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200, Tel. 0 2283-5135/contact in-person at responsible unit)</p>	<p>Operating Hours: Monday – Friday (except public holidays) during 8.30 a.m. – 3.00 p.m. (with break at noon)</p>
<p>Location of Service (Remark: (In case the letter of certification of qualifications 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.))</p> <p>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarter) 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200/via post</p>	<p>Operating Hours: Monday – Friday (except public holidays) during 8.30 a.m. – 4.30 p.m.. (with break at noon)</p>

Procedures, Service Time and Responsible Units

Total time: 30 days

No.	Procedures	Service Time	Responsible Unit
1)	<p>Document verification The treasury centre submits the letter of certification of qualifications and all related</p>	1 day	Foreign Exchange Administration

	documents to the Competent Officer. The Bank of Thailand shall verify that the letter of certification of qualifications and all related documents are correct and complete. (Remark: -)		and Policy Department
2)	Consideration Consider the qualifications. (Remark: -)	22 days	Foreign Exchange Administration and Policy Department
3)	Consideration Submit to the Bank of Thailand Executives for consideration. (Remark: -)	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)	Letter of certification of qualifications in the required format Original 1 Copy 0 Remark: (Signed by the authorized signatory and stamped with a corporate seal (if any).)	Foreign Exchange Administration and Policy Department
2)	Letter of certification of registered capital, issued by the issuing authority within the last 6 months of the date that the letter of certification of qualifications was submitted Original 0 Copy 1 Remark: (All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)	Department of Business Development

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
3)	<p>Structure and proportion of shareholding of the company that operates a business of a treasury centre, corporate groups and companies or branches in the same business network as the company that operates a business of a treasury centre and the corporate groups</p> <p>Original 0 Copy 1</p> <p>Remark: (All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
4)	<p>Names of foreign corporate groups or companies or branches in the same business network as the company that operates a business of a treasury centre and the corporate groups, to which the treasury centre wishes to lend money</p> <p>Original 0 Copy 1</p> <p>Remark: (All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
5)	<p>Total value of internationally-traded goods or services of the corporate groups in the previous year</p> <p>Original 0 Copy 1</p> <p>Remark: (All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal (if any).)</p>	-
6)	<p>Power of attorney to act as a signatory for the authorized signatory, along with copies of</p>	-

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
	<p>national ID cards or passports of the principal and the authorized 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>	
7)	<p>Power of attorney to submit the letter of certification of qualifications 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 letter of certification of qualifications 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)</i> (Remark: 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200, Tel. 0-2283-5325)

Forms, Examples and Instructions

No.	Channels for Complaints/Suggestions
1)	Example of power of attorney (for treasury centre) (Remark: -)
2)	Letter of certification of qualifications form (for treasury centre) (Remark: -)

Remark

-

This document can be downloaded from the government information portal

www.info.go.th

Effective date: 21/07/2015