

PUBLIC HANDBOOK: Request for a Substitute License to Operate a Business of a Treasury Center

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 a license to operate a business of treasury center is lost or significantly damaged, the treasury center must submit a request for substitute licenses from the Minister of Finance via the Bank of Thailand within 30 days, counting from the date of loss or damage acknowledgement.

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

3. 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.

4. 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 in-person, otherwise the information submitted by the requester shall be deemed as not having enough weight to be used in considering the request.

5. 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.

6. The procedures outlined in this public handbook shall start once the Competent Officer has verified that the request and 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.

7. The Minister of Finance and the Bank of Thailand shall finalize their consideration within 45 business 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.

8. 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>1) Contact in a Person in The Location of Service Location of Service <i>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarters) 273 Samsen Road, Watsamphraya Sub-district, Phra Nakhon District, Bangkok 10200, Tel. 0-2283-5427 or 0-2283-5739</i> <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 0-2283-5427 or 0-2283-5739.)</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>2) Via Post Location of Service <i>Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarters) 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200</i> <i>(Remark: In case the request and related documents arrive at the responsible unit</i></p>	<p>Operating Hours: <i>Monday – Friday (except public holidays) during 8.30 a.m. – 4.30 p.m.</i></p>

<p><i>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>	
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Procedures, Service Time and Responsible Units

Total time: 45 business days

No.	Procedures	Service Time	Responsible Unit
1)	<p>Document verification The treasury center submits a request and all related documents to the Minister of Finance through the Bank of Thailand. The Bank of Thailand verifies that the request and all related documents are correct and complete. <i>(Remark: -)</i></p>	1 business day	Foreign Exchange Administration and Policy Department
2)	<p>Consideration 1. Considers the qualifications. 2. Summarizes the consideration. 3. Proposes to the Bank of Thailand executives to consider and provides the recommendation to the Minister of Finance.</p>	14 business days	Foreign Exchange Administration and Policy Department
3)	<p>Consideration by other agencies The Fiscal Policy Office considers the requester's qualifications in accordance with the criteria as stipulated in the notifications of the Competent Officer and provides recommendation to the Minister of Finance for substitute license approval.</p>	10 business days	Fiscal Policy Office
4)	<p>Signature/Committee Decision The Minister of Finance considers the request. After the Minister approves a substitute license, the Director of Fiscal</p>	20 business days	Fiscal Policy Office

	Policy Office, acting on behalf of the Minister of Finance, shall sign the substitute license and deliver it to the Bank of Thailand for on-ward delivery to the requester.		
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Documents to be Attached

No.	Names of Documents, Number and Additional Details (if any)	Issuing Authority
1)	<p>Request in the required format Original 2 Copy 0 Remark: (Signed by the authorized signatory and stamped with a corporate seal (if any).)</p>	Foreign Exchange Administration and Policy Department
2)	<p>The letter of certification of registered capital of Treasury Center, issued by the issuing authority within the last 6 months of the date that the request was submitted Original 1 Copy 0 Remark: (In case requester cannot submit the original document, requester can submit the 2 copies of the document and 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
3)	<p>Police report for loss of document Original 1 Copy 1 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>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 1</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. 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>	
5)	<p>Power of attorney to submit an 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)</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. 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	0

Channels for Complaints and Suggestions

No.	Channels for Complaints/Suggestions
1)	Foreign Exchange Administration and Policy Department, Bank of Thailand (Headquarters) <i>(Remark: 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200, Tel. 0-2283-5325)</i>
2)	Ethics Protection Group, Fiscal Policy Office, Ministry of Finance <i>(Remark: Rama 6 Road, Ari Sampan, Sam Sen Nai Sub-district, Phayathai District, Bangkok 10400, Tel. 0-2273-9020 ext. 3356)</i>
3)	Center of Public Service, Office of the Permanent Secretary, the Prime Minister's Office <i>(Remark: No. 1 Pissanulok Road, Dusit District, Bangkok 10300 / Hotline 1111 / www.1111.go.th / PO Box 1111 No. 1 Pissanulok Road, Dusit District, Bangkok 10300)</i>
4)	Public Sector Anti-Corruption Commission Center <i>(Remark: Office of Public Sector Anti-Corruption Commission (PACC) - 99 Moo 4 Software Park building, 2nd Floor, Changwattana Road, Khlong Kluea, Pak Kret district, Nonthaburi 11120 - Hotline 1206/ Tel. 0 2502 6670-80 ext. 1900, 1904-7 / Fax: 0 2502 6132 - www.pacc.go.th / www.facebook.com/PACC.GO.TH The Anti-Corruption Operation Center Tel: +66 92 668 0777 / Line: Fad.pacc / Facebook: The Anti-Corruption Operation Center/ Email: Fad.pacc@gmail.com)</i>

Form

No.	Name of Form
1)	Example of power of attorney (for treasury center) https://www.bot.or.th/Thai/FinancialMarkets/ForeignExchangeRegulations/ForeignMeansOfPaymentBusinesses/Pages/TreasuryCenter.aspx

This document can be downloaded from the government information portal

Backend.info.go.th

Effective date: 11/12/2019