**Standard Request under the Exchange Control Act**

**Request Type : 3. Foreign Exchange (FX) Hedging Contract**

**3.1 FX Hedging with Financial Institution in Thailand / with Foreign Counterparty / Others**

Attention: Competent Officer, Foreign Exchange Administration and Policy Department, Bank of Thailand

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| **Details of requester :** | |
| Name (Thai) : | Name (English) : |
| Former name (if any) : | Shareholders : Thai = ................ Foreign = ............... |
| Address : | |
| Contact person : | Email Address : |
| Tel : | Fax : |

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| Please provide the following information   1. Request topic = 2. Request amount per year = 3. Transaction period = 4. Rationale = 5. Main sources of income and expenditure of the concerned business = 6. Number and date of former approval letter (request for renewal) = 7. Amount used under former approval letter (request for renewal) = 8. Number and date of related approval letters (if any) = 9. Describe your hedging policy = 10. Describe nature of hedging transaction e.g. FX purchase or sale , transaction type (forward, swap etc), currency, amount, contract date, contract duration, name of counterparty, settlement method (gross or net) = 11. Nature of underlying transaction/or sources of risk = 12. Actual value of underlying transaction in the previous year = 13. Please provide a rationale if the requested amount exceeds the actual value of underlying transaction in the previous year = 14. Explain the unwinding process in details (if any) = 15. Can the foreign counterparty engage in fully- hedged, back-to-back transaction with a financial institution in Thailand? Please explain (in case of FX hedging with foreign counterparty) = 16. Other applicable information =   In case of FX hedging on behalf of group companies, please provide the following information   1. List of group companies = 2. Describe the relationship between the requester and group companies e.g. any cross shareholding = 3. Amount of FX hedging transaction per year (does this include the amount of the requester’s company? = 4. Specify which company and how to make payment on the settlement date =   Please provide the following documents as evidence   * 1. Standard request under the Exchange Control Act * 2. Copy of identification document e.g. certificate of incorporation issued by the Ministry of Commerce/national ID card/passport * 3. Copy of agreement for purchase/sale of goods/services with FX quotation but payable in Thai Baht (please highlight relevant texts) (in case of FX hedging on FX-linked obligation) * 4. Copy of hedging policy document which requires hedging with a foreign counterparty (in case of FX hedging with foreign counterparty) * 5. Copies of other supporting documents   In case of FX hedging on behalf of group companies, please provide the following documents as evidence   * 6. Power of attorney from group companies * 7. Copy of list of shareholders (BorOrJor 5) of the requester and group companies   If the Competent Officer finds that the request or documents submitted by me is inaccurate or incomplete, the competent officer has my consent to notify me of a request revision and additional documents to be submitted via email through the Exchange Control Approval and Reporting System (ECARS). I agree to make the revision to ensure accuracy and completeness of such documents within 10 days, starting from the date notified by the Competent Officer. | |
| **Signature** | |
| I certify that all documents and information presented are in accordance with true and accurate facts and I agree to be bound to the texts indicated in this standard request | (submission through an authorized juristic person) I certify that all documents and information presented are in accordance with true and accurate facts |
| ........................................................ | ........................................................ |
| (Full name..................................................) | (Full name........................................................ ) |
| Signature of an authorized signatory of the requester\* | Signature of an authorized person of the authorized juristic person |
| Date ........................................... | Name of the authorized juristic person ......................................................... |
| Remarks: In case of an individual, the signatory must be the same person as the requester.  In case of a juristic person, the authorized signatory must be an authorized signatory or an authorized person of the juristic person. (Please note: If there are more than one authorized signatories, any one of them can sign this request) | Date ............................................... |