Unofficial Translation

This translation is for the convenience of those unfamiliar with the Thai language

Please refer to Thai text for the official version

BANK OF THAILAND

Public Handbook: Application for a license to undertake commercial banking business, finance business, and credit foncier business

Service Agency: Financial Institution Business Supervision Department, Bank of Thailand

---

Regulations, procedures, conditions for application submission and consideration process

1. Regulations and conditions

1.1 Financial Institution Business Act, B.E. 2551 (2008) Section 9 stipulates that the commercial banking business, finance business or credit foncier business may be undertaken only by a juristic person in the type of public limited company and upon having obtained a license from the Minister of Finance (Minister) with the advice of the Bank of Thailand. In granting such license, the Minister may prescribe rules as deemed appropriate. Filing an application for formation of a public limited company under the law on public limited companies to undertake the commercial banking business, finance business or credit foncier business shall require the prior approval of the formation from the Minister. After registration of a public limited company, such public limited company shall file with the Minister through the Bank of Thailand an application for a license as prescribed in the notification of the Bank of Thailand.

1.2 Notification of Ministry of Finance Re: The application for and the issuance of a license to undertake commercial banking business, finance business, and credit foncier business, dated 19 November 2024 (B.E. 2567) (Notification of Ministry of Finance) The applicant can submit the application with supporting documents and information to the Bank of Thailand within the application period and in accordance with the rules, procedures, and channels prescribed by the Minister, with the advice of the Bank of Thailand.

1.3 The issuance of a license to undertake commercial banking business, finance business or credit foncier business

1.3.1 The applicant may submit the application to the Bank of Thailand during the application period and may contact the Bank of Thailand via e-mail at FIBSDept@bot.or.th for information regarding the application period. The Minister, with the advice of the Bank of Thailand, will determine the period for submitting an application to establish a financial institution based on the necessity and appropriateness of the establishment of such financial institutions, in order to maintain the stability of the financial system, considering the benefits to the overall Thai economic and financial system, the level of competition in the financial institution system, and alignment with the country's economic and financial conditions. Such period may be specified separately for each type of financial institution. Accordingly, the Bank of Thailand shall provide a public handbook on submitting application for the establishment of each type of financial institution.

1.3.2 During the application period for establishing financial institution as prescribed by the Minister with the advice of the Bank of Thailand, the applicant may submit an application along with complete and accurate supporting documents and information in accordance with the relevant notifications, this public handbook, or other public handbook prescribed at the application period depending on the business models, the characteristics of each type of financial institution, and the circumstances at that time.

In the case where the application is incomplete or incorrect, the Bank of Thailand shall notify the applicant to amend or submit additional documents or information within the specified period. If the applicant fails to amend or submit required document or information within such period, the Bank of Thailand shall return the application to applicant. In such case, the applicant may submit new application within the application submission period.

1.3.3 The Bank of Thailand shall consider the application and propose a list of qualified applicant(s) to receive the license(s) along with supporting reasons to the Minister for consideration and approval within 6 months from the end of the application period. Where there is a reasonable cause, the Minister may extend the review period to a total of no more than 1 year or impose notification of additional review period. The Bank of Thailand consideration process includes:

(1) The Bank of Thailand may invite the applicant to provide additional information or clarification at a specified date and time.

(2) The Bank of Thailand considers the benefits to the overall Thai economic system, the stability of the financial system, the appropriate level of competition in the financial institution system at that time, and the potential and capability to operate each type of financial institution in accordance with the business plan of the applicant as well as additional criteria and conditions prescribed by the Minister with the advice of the Bank of Thailand.

(3) Once a list of applicant(s) deemed eligible for approval under clause 1.3.3(2) has been obtained, the Bank of Thailand shall propose the list of qualified applicant(s) to Financial Institutions Policy Committee for their opinion and recommendation regarding the establishment of a new financial institution prior propose the list of qualified applicant(s) along with supporting reasons to the Minister for consideration and approval. In approving the proposed list of qualified applicant(s), the Minister may impose any additional conditions. The Bank of Thailand shall notify successful applicant(s) accordingly.

1.4 The process after obtaining approval to establish the financial institution.

1.4.1 The successful applicant(s) shall submit the application for a license to undertake commercial banking business, finance business, or credit foncier business, as the case may be, to the Minister through the Bank of Thailand in accordance with the rules, procedures, and conditions in the notification prescribed by the Minister with the advice of the Bank of Thailand. The successful applicant(s) must fulfill the conditions, which include having appropriate and sufficient registered paid-up capital to operate each type of financial institution and must pass the readiness assessment by the Bank of Thailand before submitting the application.

1.4.2 The successful applicant(s) shall begin business operations within 1 year from the date of the Minister's approval. Where there is a reasonable cause, the Bank of Thailand may grant an extension of the period of no more than 1 year. In granting such extension, the Bank of Thailand may impose any additional conditions. In such event, the Bank of Thailand shall notify the Minister regarding the period extension granted and additional conditions imposed at the soonest.

1.4.3 Upon obtaining the license to undertake commercial banking business, finance business, or credit foncier business, as the case may be, the financial institution(s) must operate in accordance with the plan approved by the Bank of Thailand and comply with conditions attached to license imposed by the Minister, and other relavant regulations or as shall be amended.

Regulations and information on the application process, please refer to:

(1) Financial Institution Business Act, B.E. 2551 (2008) Section 9 : Link

(2) Ministry of Finance Re: The application for and the issuance of a license to undertake commercial banking business, finance business, and credit foncier business : Link

2. Procedures for application submission

2.1 The applicant may send an e-mail to FIBSDept@bot.or.th, Financial Institution Business Supervision Department, to inquire about application period for financial institution establishment.

2.2 During application period, the applicant can submit the application on specified channels. In case where the application is incomplete or required information/documents have not been provided, the Bank of Thailand shall notify the applicant to amend or submit additional information/documents within the specified period, otherwise, such application will be deemed abandoned. The Bank of Thailand shall notify the termination of the application, resulting in returning of the application through specified channel.

Service Channels

Website and Online Channel	Office hours
Service Location e-Application: https://iservice.bot.or.th/ (Details will be provided when the application period is open) If an application is submitted after 3.00 p.m. on a working day or on a bank holiday as announced by the BOT, it shall be deemed as received on the next business day. **Remark:** For further inquiries, please contact officers at Tel. 0 2356 7373 or 0 2356 7845 or E-mail: FIBSDept@bot.or.th	24 hours from the start date of the application period until 4.30 p.m. on the last day.

Procedures, Service Time and Responsible Units

Total processing time from the end of the application period: 6 months (1 year in the case where the Minister extends the review period)

No.	Procedures	Service Time	Responsible Units
1)	**Document Verification** The completeness of the application and supporting documents is verified in accordance with the list of documents in the public handbook. In the case where the application is incomplete, or required documents have not been provided, the Bank of Thailand shall notify the applicant to amend or submit additional documents within the specified period. If the applicant fails to amend or submit the required documents within such period, the Bank of Thailand shall return the application to applicant. In such case, the applicant may submit new application within the application period.	3 Business Day from the date on which the applicant confirms the submission of the application	Financial Institution Business Supervision Department and relevant departments
2)	**Consideration Process** Consideration process after the end of the application period 1. The Bank of Thailand examines the application and all supporting documents in accordance with related notification of Ministry of Finance. 2. In the case where the Bank of Thailand considers that additional information is required, the Bank of Thailand may request such information from the applicant or may invite the applicant to provide clarification for consideration. 3. The Bank of Thailand reviews a list of qualified applicant(s) and propose to the Financial Institutions Policy Committee for their opinion and recommendation regarding the establishment of a new financial institution.	6 months from the end of the application period or no more than 1 year from the end of the application period (Where there is a reasonable	Financial Institution Business Supervision Department and relevant departments

No.	Procedures	Service Time	Responsible Units
	4. The Bank of Thailand proposes a list of qualified applicant(s) to the Minister through the Fiscal Policy Office.	cause, the Minister may extend the review period)	
3)	**Consideration process by other agencies.** The Fiscal Policy Office considers the application in accordance with the advice of the Bank of Thailand and proposes it to the Minister before announcing the successful applicant(s).		Fiscal Policy Office

Documentation Requirements and Supplements

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
1)	**Application letter for undertaking the commercial banking business, finance business or credit foncier business, as the case may be.** **Original:** 1 **Copy:** 0	-
2)	Statement of purpose for undertaking the commercial banking business, finance business or credit foncier business, as the case may be. Original: 1 Copy: 0	-
3)	**Business model and business plan for undertaking the commercial banking business, finance business or credit foncier business, as the case may be.** **Original:** 1 **Copy:** 0	-
4)	Details of the organizational structure, committees' structure, chain of commands, and reporting lines within the financial institution that reflect good governance and internal control mechanisms. Original: 1	-

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
	Copy: 0	
5)	A list of directors, managers, persons with power of management, and advisors, including their names, qualifications, and experiences. Original: 1 Copy: 0 Remark: -	-
6)	Clear risk management plan, which includes processes and systems to address strategic risk, credit risk, market risk, liquidity risk, operational risk including business continuity plans, and Information Technology risk. Original: 1 Copy: 0	-
7)	Consumer protection management plan Original: 1 Copy: 0	-
8)	Plan to establish financial business group in the case where the financial institution must establish such financial business group. Original: 1 Copy: 0 **Remark:** This document is not required only if the applicant is a foreign commercial bank applying to establish a subsidiary in Thailand.	-
9)	A consent letter from the supervisory authority of the applicant, allowing the applicant to establish a subsidiary in Thailand and confirming that the supervisory authority has applied prudential regulations in accordance with the international standards, and also confirming that the applicant have sound financial condition, good performance, appropriate risk management and capability to comply with regulations of such foreign supervisory authority. Original: 1 Copy: 0	-

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
	Remark: This document is required only if the applicant is a foreign commercial bank applying to establish a subsidiary in Thailand.	
10)	**A confirmation letter from the applicant or parent company to:** (A) undertake that it shall oversee and ensure compliance of its subsidiary with the laws, regulations, and policies of supervisory authority and other relevant authorities in Thailand, including those currently in effect and those which will come into force in the future; (B) undertake that it shall, with utmost effort, provide liquidity and capital support to its subsidiary, immediately when the capital fund of the subsidiary falls or is potentially falling below the level required by law; (C) undertake that it shall provide information to the Bank of Thailand upon request. **Original:** 1 **Copy:** 0 **Remark:** This document is required only if the applicant is a foreign commercial bank applying to establish a subsidiary in Thailand.	-
11)	**Information on consolidated supervision regulations of the country of origin of the applicant (in English).** **Original:** 1 **Copy:** 0 **Remark:** This document is required only if the applicant is a foreign commercial bank applying to establish a subsidiary in Thailand.	-
12)	**Other supporting documents as additionally required by the Bank of Thailand, depending on the business models, the characteristics of each type of financial institution, and the circumstances at that time.** **Original:** 1 **Copy:** 0	-
13)	**Other supporting documents for consideration (if any)** **Original:** 1 **Copy:** 0	

Fees

No.	Description	Fee (Baht / Percentage)
No fee		

Channels for Complaints and Suggestions

No.	Channels for Complaints/Suggestions
1)	Financial Institution Business Supervision Department Tel. 0 2283 5931 or E-mail: FBD-SeniorDirector@bot.or.th, FBD-AllDirector@bot.or.th
2)	Center of Public Service, Office of the Permanent Secretary (No. 1, Phitsanulok Road, Dusit, Bangkok 10300 / Hotline 1111 / www.1111.go.th/ P.O.Box 1111 No. 1, Phitsanulok Road, Dusit, Bangkok 10300)
3)	Public Sector Anti-Corruption Operation Complaint Center (Office of Public Sector Anti-Corruption Commission (PACC) - 99 Moo 4, Software Park Building 2nd floor, Chaengwattana Road, Klong Gleua, Pakkred, Nonthaburi 11120 - Hotline 1206 / Telephone 0 2502 6670-80 ext. 1900 , 1904-7 / Fax 0 2502 6132 www.pacc.go.th

Forms, Examples, and Instructions

No.	Form Name
None	