



BANK OF THAILAND

**Public Handbook: Application for a license to undertake a designated payment systems business
– Payment card network service**

Service Agency: Payment Systems Policy Department, Bank of Thailand (BOT) and Ministry of Finance

Regulations, procedures, conditions (if any) for application submission and consideration process

1. Related Regulations

Payment Systems Act B.E. 2560 (2017)

Notification of Ministry of Finance Re: Stipulation on Designated Payment Systems, dated 17 April 2018 (B.E. 2561)

Bank of Thailand Notification No. SorNorChor. 3/2561 Re: Regulations, Procedures and Conditions on Application for License to Undertake Designated Payment Systems Business, dated 16 April 2018 (B.E. 2561)

2. Conditions for Application Submission

Those intending to apply for a license to undertake a designated payment systems business in the category of a payment card network service shall have the following qualifications:

(1) be a juristic person of the following type:

(1.1) a limited company or a public limited company registered in Thailand with objectives to undertake payment systems business; or

(1.2) a financial institution, a specialized financial institution or a state enterprise; or

(1.3) a foreign juristic person

(2) have paid-up capital no less than 50 million Baht;

(3) have a sound financial position and operation status which represent the capability of undertaking business and providing service with continuity without any risks that may cause damages to system users and public such as historical financial position and performance, shareholders' equity and source of funds;

(4) must neither have been temporarily suspended of its entire or partial business operation nor have the license or the registration revoked according to the law governing payment systems;

(5) must have never been sentenced or ordered by the court that its properties shall be forfeited for the benefit of the state or never been sentenced by final court judgment on the ground of committing an offence relating to money laundering under law governing anti-money laundering, or never been a designated person for committing terrorism offenses, or never been sentenced by the final court judgment on the offence relating to terrorism financing under law governing counter-terrorism and proliferation of weapon of mass destruction financing;

(6) have directors or person with managerial power with the following qualifications:

(6.1) being not less than 20 years of age;

(6.2) having qualifications and must not have prohibited characteristics as prescribed in Section 14 of the Payment Systems Act B.E. 2560 (2017). In other words:

A business provider who obtains license to operate the designated payment system business shall not appoint a person who has the following characteristics to be a director or person with the managerial power of such business provider:

(6.2.1) being under receivership or being bankrupt or using to be bankrupt and the period of two years has not yet lapsed from the date of order of termination or discharge of the bankruptcy;

(6.2.2) being an insane person, an incompetent person or a quasi-incompetent person;

(6.2.3) having been sentenced to imprisonment by a final court judgment for any offence relating to counterfeit and forgery, theft, snatching, extortion, blackmail, robbery, gang-robbery, defraud, cheating the creditor, embezzlement, receiving stolen property whether there is a suspension of punishment, or having been imprisoned by a final court judgment for offences relating to computer under the computer crimes law;

(6.2.4) having been sentenced by a judgment or order of the court that its properties shall be forfeited for the benefit of the state or having been sentenced by a final court judgment on the ground of committing an offence relating to money laundering under anti-money laundering law or using to be a designated person for involvement in terrorism or having been sentenced by a final court judgment for offence relating to terrorism financing under the law on counter-terrorism and proliferation of weapon of mass destruction financing;

(6.2.5) being a director or a person with managerial powers of a juristic person which has been prohibited from operating the designated payment system business or the designated payment service business or whose license or registration had been revoked;

(6.2.6) having been discharged from being a director or an executive of a public limited company for having the characteristics indicating a lack of appropriateness in respect of trustworthiness in managing business whose shares are held by public shareholders under the law on securities and exchange;

(6.2.7) having been sentenced to imprisonment by a final court judgment for any offence relating to the provision of a payment system or payment service without having obtained a license or having been registered;

(6.2.8) being a person having other prohibited characteristics or lacking other qualification as prescribed in the notification of the BOT.

(7) have at least 1 director with Thai nationality and domiciled within Thailand.

(8) a foreign juristic person must have branch office or representative office in Thailand, and appoint at least 1 person as a person responsible for engaging in affairs for and on behalf of the juristic person in that office in order to support business operation and coordination with foreign office, unless an exemption is granted by the BOT.

A financial institution, a specialized financial institution, a state enterprise and a foreign juristic person intending to undertake payment card network business are exempt from complying with the regulation under clause (2) and (7).

3. Procedures and methods for submitting an application

(1) An applicant sends a letter or an e-mail requesting an appointment with the BOT to discuss and clarify the business model, and other related information.

(2) The applicant submits the required documents in an electronic format. Once the BOT checks for accuracy and completeness, the BOT will schedule an appointment for the applicant to submit an application along with original supporting documents in person.

(3) In case the proposed service is innovative or complicated in nature, prior to submitting an application, the applicant must request an additional appointment with the BOT to discuss the business model, service systems test results, and additional supporting documents (if any).

(4) The applicant satisfying all qualifications required by the law shall submit the application along with supporting documents certified true copy by the authorized signatory through the specified service channels below.

(5) The processing time shall start from the date that the BOT receives and verifies that all submitted documents are correct and complete as specified in this public handbook, and issues an acknowledgment of receipt as evidence. In case that the submitted documents are incorrect and/or incomplete resulting in the inability to consider the application, the BOT will issue a memo indicating any incompleteness or additional documents required. Once both the BOT officer and the applicant or the authorized person sign the memo, the BOT will provide a copy of the signed two-party memo and return the application form and all supporting documents to the applicant or the authorized person on the date of submission. The applicant must amend and/or submit additional documents within the period stipulated in the memo. Otherwise, the application will be deemed abandoned.

(6) In case the applicant is unable to submit the application in person, the applicant must prepare a power of attorney to authorize an attorney-in-fact to sign the two-party memo in case the documents are incorrect or incomplete as per Section 8 of the Licensing Facilitation Act B.E. 2558 (2015). If no power of attorney is prepared and the BOT finds that the submitted documents are incorrect or incomplete, the BOT will not be able to accept the application as the agent is not authorized to act as a signatory in the two-party memo.

(7) The BOT shall notify the applicant of the result of its deliberation within 7 days after the decision is made as per Section 10 of the Licensing Facilitation Act B.E. 2558 (2015).

(8) To facilitate the application process, the applicant may submit the application and other supporting documents to the BOT for preliminary verification via email: Payment-Sup@bot.or.th.

Service Channels

<p>1) In Person (After scheduling an appointment)</p> <p>Service Location: <i>Payment Supervision and Examination Office, Payment Systems Policy Department, Bank of Thailand, Head Office 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200 Tel : 0 2283 6719</i></p> <p><i>(Remark: Public holidays are bank holidays announced by the BOT. Prior to a visit, please kindly notify visitors' names, visiting date and time, telephone number, and license plate (if any) at Tel. 0 2283 6719 or E-mail: Payment-Sup@bot.or.th)</i></p>	<p>Office hours: <i>Monday – Friday (except public holidays) From 08:30 a.m. – 04:30 p.m. (lunch break)</i></p>
<p>2) Website and Online Channel (After the BOT verifies the electronic files and grants permission to submit)</p> <p>Service Location: <i>www.bot.or.th (e-Application)</i></p> <p><i>(Remark: If an application is submitted after 4.30 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.</i></p>	<p>Office hours: 24 Hours</p>

Procedures, Service Time and Responsible Units

Total Processing time: 60 Business Days

No.	Procedures	Service Time	Responsible Units
1	<p>Document Verification</p> <p>The applicant with an appointment specified in 3(2) submits required documentation to the Minister of Finance through the BOT. The BOT will conduct initial verification whether the documents are accurate and complete and will issue a two-party memo indicating any incompleteness or additional documents required.</p> <p><i>(Remark: -)</i></p>	1 Business Day	Payment Systems Policy Department
2	<p>Consideration Process</p> <ol style="list-style-type: none"> 1. The BOT examines the application and all supporting documents and deliberates on the application for the license. 2. The BOT concludes its deliberation on the application for the license. 3. The BOT submits its recommendation to the Minister of Finance. <p><i>(Remark: During this process, the BOT will verify the qualifications of all directors and persons with managerial power in accordance with the Anti-Money Laundering Act, the Counter-Terrorism and Proliferation of Weapon of Mass Destruction Financing Act, and the Securities and Exchange Act.)</i></p>	29 Business Days	Payment Systems Policy Department
3	<p>Consideration Process by other agencies</p> <p>The AMLO will verify the qualifications of all directors and persons with managerial power in accordance with the Anti-Money Laundering Act and the Counter-Terrorism and Proliferation of Weapon of Mass Destruction Financing Act.</p> <p><i>(Remark: Step 3 and 4 are initiated in parallel to the consideration period in Step 2)</i></p>	20 Business Days	The Anti-Money Laundering Office (AMLO)

No.	Procedures	Service Time	Responsible Units
4	<p>Consideration Process by other agencies</p> <p>The SEC will verify the qualifications of all directors and persons with managerial power in accordance with the Securities and Exchange Act.</p> <p><i>(Remark: Step 3 and 4 are initiated in parallel to the consideration period in Step 2)</i></p>	20 Business Days	The Office of the Securities and Exchange Commission (SEC)
5	<p>Consideration Process by other agencies</p> <p>1. The MOF considers the applicant's qualifications in accordance with the BOT's recommendation and provides a recommendation to the Minister of Finance for consideration and approval.</p> <p>2. Once the Minister of Finance approves and signs the license, the MOF will notify and deliver the license to the BOT for onward delivery to the applicant.</p> <p><i>(Remark: -)</i></p>	30 Business Days or the Remaining of the Total Processing Time	Ministry of Finance (MOF)

Documentation Requirements and Supplements

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
1)	<p>Application form for license to undertake designated payment systems business. In case an attorney-in-fact is employed, a power of attorney must be presented.</p> <p>Original: 1 Copy: 0</p> <p>Remark: All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal.</p>	BOT

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
2)	<p>A copy of company registration certificate with objectives of company for undertaking designated payment systems business</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. For a foreign juristic person, the company may submit a copy of juristic person registration certificate according to foreign law instead.</p>	Department of Business Development
3)	<p>A copy of the memorandum of association</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. This is only applicable to a juristic person incorporated in Thailand.</p>	Department of Business Development
4)	<p>A copy of company's articles of association</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. For a foreign juristic person, the company may submit a copy of articles of association or objectives (if any) instead.</p>	Department of Business Development
5)	<p>A copy of register of shareholders and/or report of list of shareholders and percentage of top 10 shareholding of the company including shareholders' nationalities</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. For a foreign juristic person, the company may submit a copy of register of shareholders of a juristic person and/or report of list of shareholders and percentage of top 10 shareholding of the juristic person including shareholders' nationalities instead.</p>	Department of Business Development

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
6)	<p>Names, nationalities, domiciles, working experiences and qualifications of all directors and persons with managerial power; together with the certification of qualifications of persons appointed as directors or persons with managerial power of the person intending to undertake designated payment systems business, in accordance with the form attached at the end of the BOT Notification No. SorNorChor. 3/2561 Re: Regulations, Procedures and Conditions on Application for License to Undertake Designated Payment Systems Business</p> <p>Original: 1 Copy: 0</p> <p>Remark: All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. Each director or person with managerial power must submit a complete and signed Biographical Information Form individually.</p>	BOT
7)	<p>Corporate group structure such as parent company, subsidiaries and affiliates including duties, responsibilities and relationship related to the person intending to undertake designated payment systems business</p> <p>Original:1 Copy: 0</p> <p>Remark: All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal.</p>	

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
8)	<p>Audited annual financial statements with opinion of the certified public accountant for the past 3 years and the latest 6-month financial statements (if any) and any other documents and evidences demonstrating sound financial position of the company</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. This is only applicable to a juristic person incorporated in Thailand.</p>	
9)	<p>A copy of license certificate to undertake payment systems business according to foreign law (if any)</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. This is only applicable to a foreign juristic person.</p>	
10)	<p>A copy of certificate for business operation of foreigners or a copy of company registration certificate, showing the establishment of branch office or representative office in Thailand, including details of location, list of persons responsible for engaging in affairs for and on behalf of the juristic person in that office; and telephone number of the branch office or representative office in Thailand.</p> <p>Original: 0 Copy: 1</p> <p>Remark: 1. All pages must be signed to certify true copy by the authorized signatory and stamped with a corporate seal. 2. This is only applicable to a foreign juristic person.</p>	

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
11)	<p>Organizational and supervisory structures that support business operation, indicating departments and operating staff including duties and responsibilities; covering those relating to information technology function.</p> <p>Original: 1 Copy: 0 Remark: -</p>	
12)	<p>Details of service</p> <ol style="list-style-type: none"> 1. Name and type of services 2. Essential information, conditions and business model in providing services, including details of scope of services such as group of users, type of services, service locations, etc. including service fee 3. Process, methods and procedures for providing services including related details such as <ol style="list-style-type: none"> 3.1 Business flow and system design diagram 3.2 Description of technology used in providing services and technology used for maintaining security of the system used in providing services 3.3 Practices of linkages with other related systems 4. Objectives, rules, conditions, business practices, fees and expenses relating to system users accessing and existing the system (access and exit regime) 5. Total number and name list of system users (if any) 6. Related parties involved in providing services such as outsourcers by indicating duties, responsibilities and contract or agreement between person intending to undertake the business and the parties involved in providing services (if any) <p>Original: 1 Copy: 0 Remark: -</p>	

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
13)	<p>Policies and measures on security of information technology systems, which must at least meet the standards as prescribed by the BOT Re: Policies and Measures on Security of Information Technology Systems</p> <p>Original: 1 Copy: 0 Remark: -</p>	
14)	<p>Policies and business plans for undertaking the designated payment systems business for a 3-year period which include the investment in the systems, incomes, expenses, volume of transactions, additional services as well as source of funds, etc. including the feasibility study such as the analysis of competitor, marketing, internal and external environment together with assumptions used for preparation of the plan and estimation</p> <p>Original: 1 Copy: 0 Remark: -</p>	
15)	<p>Action plan for undertaking the designated payment systems business which indicates detailed preparation activities for each period (timeline) (if any)</p> <p>Original: 1 Copy: 0 Remark: -</p>	

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
16)	<p>Risk management policy and risk assessment in providing the services by identifying the key risk indicator as well as duties and responsibilities of the related parties, including procedures in managing and dealing with various types of risks covering methods to identify, measure, control, monitor and manage each type of risks and the overall risk of the organization, including:</p> <ol style="list-style-type: none"> 1. Strategic Risk 2. Liquidity Risk 3. Operational Risk 4. Legal Risk 5. Reputation Risk 6. Information Technology Risk <p>Original: 1 Copy: 0 Remark: -</p>	
17)	<p>Business Impact Analysis and Business Continuity Management (BIA and BCM); the person intending to undertake designated payment systems business should appropriately define the responsible persons and details of the BCM to the type and complexity of business, of which essences include:</p> <ol style="list-style-type: none"> 1. Policy statement on business continuity management 2. Contingency plan or Business Continuity Plan (BCP) 3. Guidelines on monitoring, evaluating and testing of the BCP <p>Original: 1 Copy: 0 Remark: -</p>	
18)	<p>Process of internal control covering inspection of irregular transactions, by indicating the assignment of duties and responsibilities of the related units that involve supervision, control and audit of the operation</p> <p>Original: 1 Copy: 0 Remark: -</p>	

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
19)	<p>Guidelines and details on outsourcing of information technology systems and services, as well as other functions that significantly affect the designated payment systems business, including</p> <ol style="list-style-type: none"> 1. Timeline, scope of activities, duties and responsibilities of parties related to the services provided 2. Selection criteria, monitoring and risk assessment of outsourcing activities 3. Outsourcing contracts 4. Contingency plan or business continuity planning (BCP) including outsourcing activities <p>Original: 1 Copy: 0 Remark: -</p>	
20)	<p>Policy and measures for anti-money laundering and counter-terrorism and proliferation of weapons of mass destruction financing that meet the minimum regulations as prescribed by the Anti-Money Laundering Office (AMLO)</p> <p>Original: 1 Copy: 0 Remark: -</p>	
21)	<p>Guidelines on system user protection which covers agreements or contracts for use of the services, responsibilities of those intending to undertake the designated payment systems business, guidelines on protections of system users' confidentiality, as well as guidelines for complaint handlings</p> <p>Original: 1 Copy: 0 Remark: -</p>	

No.	Names of Documents, Quantity and Additional Details (if any)	Issuing Authority
22)	<p>Additional specific details for payment card network service as below:</p> <p>1. Risk management measures to ensure successful completion of settlement between system users.</p> <p>2. Appropriate procedures and practices in case any system user cannot settle their obligations, including the event that a system user has been under a receivership order or is adjudicated bankrupt by the court such as notifying other system users, stop sending and receiving transactions, and recalculate clearing positions by unwinding transactions, etc.</p> <p>Original: 1 Copy: 0 Remark: -</p>	

Fees

No.	Description	Fee (Baht / Percent)
1)	<p>None</p> <p>Remark: A license application filed in 2019 onwards will be charged at the rate announced by the BOT.</p>	0 Baht

Channels for Complaints and Suggestions

No.	Channels for Complaints/Suggestions
1)	<p>In Person: Payment Systems Policy Department, Bank of Thailand (Headquarter) 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200 e-mail: Payment-Sup@bot.or.th</p> <p><i>(Remark: The responsible unit at the service location)</i></p>
2)	<p>Call: Financial Consumer Protection Center, Bank of Thailand Tel: 1213</p> <p><i>(Remark: -)</i></p>
3)	<p>Send a letter to 273 Samsen Road, Watsamphraya, Phra Nakhon District, Bangkok 10200</p> <p><i>(Remark: Address to Governor of the Bank of Thailand)</i></p>
4)	<p>Center of Public Service, Office of the Permanent Secretary</p> <p><i>(Remark: No. 1, Phitsanulok Road, Dusit, Bangkok 10300 / Hotline 1111 / www.1111.go.th / P.O. Box 1111 No. 1, Phitsanulok Road, Dusit, Bangkok 10300)</i></p>

Forms, Examples, and Instructions

No.	Form Name
1)	<p>Application form for license to undertake designated payment systems business</p> <p>Remark:</p> <p>https://www.bot.or.th/English/PaymentSystems/PSA_Oversight/Documents/FORM_BOT16_1(E).docx</p>
2)	<p>Certification of qualifications of person appointed as directors or persons with managerial power of the person intending to undertake designated payment systems business, or the business provider of designated payment systems</p> <p>Remark:</p> <p>https://www.bot.or.th/English/PaymentSystems/PSA_Oversight/Documents/FORM_BOT16_2(E).docx</p>
3)	<p>Biographical Information Form for directors or persons with managerial power of the juristic person intending to undertake designated payment systems business, or the business provider of designated payment systems</p> <p>Remark:</p> <p>https://www.bot.or.th/English/PaymentSystems/PSA_Oversight/Documents/FORM_BOT16_4(E).docx</p>