

NOTIFICATION OF THE STOCK EXCHANGE OF THAILAND

Re: The Authorized Officers in the Securities Trading System, 2000

By virtue of Clause 8 of the Regulations of the Stock Exchange of Thailand Re: Regulations relating to the Trading, Clearing and Settlement of Listed Securities (No.2), 1999, dated August 31, 1999. The Exchange hereby issues the following requirements:

1. These Regulations shall come into force on February 10, 2000.
2. The Notification of the Stock Exchange of Thailand Re: The Authorized Officers in the Securities Trading System (No.1), 1998, dated September 1, 1998, shall be repealed.

3. In this Notification :

*“supervising officer” (-)
(*Repealed December 1, 2008)

“authorized officer” means a person who has been registered by the Exchange as a member’s agent to trade securities through the securities trading system in the Exchange.

“President” means the president of the Exchange or a person assigned by the president of the Exchange.

CHAPTER 1

Qualifications of an Authorized Officer

4. A person whom a member applies to be appointed as an authorized officer shall have and maintain the following qualifications :

- (1) being *sui juris*;
- (2) not being an incompetent or quasi-incompetent person, a bankrupt or a former bankrupt;
- (3) having never been imprisoned for offenses relating to counterfeit and forgery, trade or property;

* (4) the registration as an authorized officer having never been revoked as the result of a penalty by the Exchange;
(*Amended December 1, 2008)

(5) being a full-time regular officer or employee of the member who applies for the appointment of an authorized officer

*(6) in case that such person has been an authorized officer of another securities company, he must show that he was duly discharged from his duties without any offence or damage;

*(*Amended March 26, 2002)*

(7) having one of the following educational qualifications or experiences:

*(a) having completed the “Operation in the Exchange” or “System and Operation in the Exchange” training course or test provided by the Exchange or by the training institution approved by the Exchange, provided that such course must have been approved by the Exchange;

*(*Amended March 26, 2002)*

(b) having completed education at the graduated level or the equivalent from educational institution approved by the governor; or

(c) being the employee or officer performing duty in the securities department of the member not less than 3 years consecutively.

*(8) not being in the period of an order of suspension from performance of duties of an investor contact, or subject to the revocation of registration as an investor contact by the Office of the Securities and Exchange Commission.

*(*Amended March 26, 2002)*

*(*Amended December 1, 2008)*

***CHAPTER 2**

Request for Appointment, Registration, Change and Revocation of Authorized Officer Registration

5. In proposing the name of a person fully qualified as specified under Clause 4 for the appointment of an authorized officer, a member shall submit an application together with details in the form specified by the Exchange.

A member shall pay the authorized officer appointment fee at the rate of Baht 500 per each person.

6. After the Exchange has examined documents relating to the qualifications and considered that they are complete, it shall register such person as an authorized officer of such member.

Any person, upon having been registered as an authorized officer as applied for by such member, shall be permitted to perform the securities trading through the securities trading system on behalf of such member.

7. In case that the name or surname of an authorized officer was changed, a member shall notify the Exchange, in the form specified by the Exchange.

8. In cases where the Exchange found thereafter that an authorized officer is deficient of any qualifications under Clause 4, it shall revoke the registration of such authorized office.

In revoking the registration of an authorized officer under the first paragraph, the Exchange shall notify in writing such authorized officer and the member who applies for the appointment and generally give notice to other members.

9. In cases where a member wishes to revoke the registration of an authorized officer, the member shall submit an application to the Exchange in the form specified by the Exchange.

In case that an authorized officer is no longer a staff member or employee of the member, the member shall file an application to revoke the registration of such authorized officer with the Exchange in the form prescribed by the Exchange within 7 days from the date on which such authorized officer is no longer a staff member or employee of the member.

10. In revoking the registration of an authorized officer under Clause 9, the Exchange shall notify the member in the form and according to the procedures specified by the Exchange.

11. By submitting an application to the Exchange in the form and according to the procedures specified by the Exchange, a member may request the examination of its authorized officer registration with the Exchange and may request the copy of such registration from the Exchange.

*(*Amended December 1, 2008)*

CHAPTER 3

Duties of an Authorized Officer

12. An authorized officer shall have the following duties :

***(1)** to comply with the law governing securities and exchange, the regulations of the Exchange, the resolutions of the Board of Governors and the circular letters of the Exchange, with the same duties as those that the member is obligated to perform in such respect insofar as they are practicable to the authorized officer;

*(*Amended March 26, 2002)*

(2) to cooperate with the Exchange in preventing violations of the law governing securities and exchange, regulations of the Exchange, resolutions of the Board and circulars of the Exchange;

(3) shall not cooperate or assist other persons in the violation or non-compliance with **(1)**;

(4) shall not perform any act which will or may discredit or is foreseeable that it will discredit the Exchange;

***(5)** shall not send securities buying or selling order which has inappropriate characteristic as prescribed by the Exchange, or send securities buying or selling order while he knows or should know that such order may constitute an offence under the law governing securities and exchange or the regulations of the Exchange;

* (6) shall not use the information of a customer or the information concerning buying or selling of securities as obtained from the performance of his duties in order to seek interest for himself or another person;

* (7) shall not send securities buying or selling order for himself or another person by using an account of a customer.

*(*Added March 26, 2002)*

***CHAPTER 4**

Disciplinary Actions and Disclosure of Disciplinary Actions

13. Authorized officer of any member performs any act in or takes part in the violation or failed to comply with the regulations of the Exchange, such person may be taken any disciplinary action or several of the following disciplinary actions jointly:

(1) probation;

(2) penalization;

(3) temporary prohibition from performance of duties;

(4) delisting;

(5) prohibition from any performance of work in a securities company within the period of time prescribed by the Board;

In cases that consideration of disciplinary action against an authorized officer according to (3) or (4), such authorized person may be taken disciplinary action according to (5).

*(*Amended January 3, 2001)*

***13/1** Consideration of the offence of and disciplinary action against an authorized officer must be under the Regulations of the Exchange governing the consideration of offence and disciplinary action.

****13/2** To impose disciplinary action of an authorized officer, the Exchange will take into account the circumstances in which authorized officers are involved, nature of violation and intentions, including impacts and damages arising from the violation.

Consideration of disciplinary action against an authorized officer under the first paragraph shall be under the guidelines attached hereto.

****13/3** The Exchange shall disclose the disciplinary action of an authorized officer to other members in writing by showing the name of the authorized officer who is taken the action, the nature of offence and the disciplinary action and make an announcement about the nature of offence and the disciplinary to the public.

*(*Added January 3, 2001)*

*(**Amended January 18, 2007)*

CHAPTER 5

Transitional Provisions

14. The person whom the Exchange registered as an authorized officer of a member prior to the date of this Notification comes into force shall be an authorized officer of a member under this Notification.

* (-)

*(*Repealed December 1, 2008)*

Notified on this 4th day of February 2000.

(Signed) Vicharat Vichit-Vadakan

(Mr. Vicharat Vichit-Vadakan)
President

Guidelines on Imposed Disciplinary Action

Nature of Act *	Disciplinary Action
* 1. (–) (*Repealed December 1, 2008)	* (–) (*Repealed December 1, 2008)
2. Transmission a bid price or an offer price which is normally unlikely to give rise to a trading, or is not intended to give rise to a trading at such price	- Probation - Penalization Baht 5,000 – 50,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 6 months
3. Disclose the authorized officer's personal code to other persons	- Probation - Penalization Baht 10,000 – 100,000 - Prohibition from any performance of work in a securities company not more than 1 year
4. Use another authorized officer's personal code	- Probation - Penalization Baht 10,000 – 100,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 1 year
5. Contact investors without approval from the Office of the Securities and Exchange Commission	- Probation - Penalization Baht 10,000 – 100,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 1 year
6. Purchase order of securities is greater than a limit for the amount of money for securities trading determined by a member such as using a limit for the amount of money for securities trading of another customer	- Probation - Penalization Baht 10,000 – 100,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 1 year

* Any violator may be taken any disciplinary action or several of the disciplinary actions jointly.

Nature of Act *	Disciplinary Action
<p>7. Transmission of trading order which results in the change or non-change in the trading price of securities which gives rise to a false market. Examples of the order transmissions are as follows:</p> <ul style="list-style-type: none"> - Transmission of trading order at the price substantially higher or lower than the projected price which cannot be matched, regardless as to whether such order will be cancelled later or not - Transmission of a bid or offer and its later cancellation is made, or the original bid or offer has been cancelled and a new order is re-transmitted at an immediately subsequent time at several times - Transmission of a bid or offer at the price and trading volume likely to get matching for the same client or for clients of the same group - Transmission of trading order at the price substantially higher or lower than the projected price - Transmission of several transactions of trading order in the manner pushing up or down the price at several times - Transmission of several transactions of trading order at the same price level although purchase/selling transactions can be effectuated at the same time 	<ul style="list-style-type: none"> - Probation - Penalization Baht 25,000 – 500,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 3 years - delisting
<p>8. Transmission trading order while he knows or should know that such order may constitute an offence under the law governing securities and exchange such as :</p> <ul style="list-style-type: none"> - Transmission of trading order for a customer or cooperation with a customer to mislead the price of any securities has changed or has not changed which is not consistent with the normal market conditions while he knows or should know that such order which results in the change or non-change in the trading price of securities which gives rise to a false market - Transmission of trading order for a customer while he knows or should know that a customer used information which has not yet been disclosed to the public - Dissemination any false news or any other statement with the intention to lure the general public to trade securities or to mislead any person on price of any securities 	<ul style="list-style-type: none"> - Probation - Penalization Baht 25,000 – 500,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 3 years - delisting

* Any violator may be taken any disciplinary action or several of the disciplinary actions jointly.

Nature of Act *	Disciplinary Action
<p>9. Use the information of a customer or the information concerning trading of securities as obtained from the performance of his duties in order to seek interest for himself or another person such as :</p> <ul style="list-style-type: none"> - Front running - Disclosure personal information, financial information, trading information of a customer to other persons - Trading in order to seek interest for a customer 	<ul style="list-style-type: none"> - Probation - Penalization Baht 25,000 – 500,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 3 years - delisting
<p>10. Transmission securities buying or selling order for himself or another person by using account of a customer such as:</p> <ul style="list-style-type: none"> - use account of a customer or falsify documents of securities trading of a customer with the intention to dishonestly deceive a customer 	<ul style="list-style-type: none"> - Probation - Penalization Baht 25,000 – 500,000 - Temporary prohibition from performance of duties or prohibition from any performance of work in a securities company not more than 3 years - delisting

* Any violator may be taken any disciplinary action or several of the disciplinary actions jointly.