

(UNOFFICIAL TRANSLATION)

Regulation of TSD (with respect to Securities Depository)  
Chapter 200 Definitions

*Readers should be aware that only the original Thai text has legal force and that this English translation is strictly for reference. Thailand Securities Depository Company Limited cannot undertake any responsibility for its accuracy nor be held liable for any loss or damages arising from or related to its use.*

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**Regulation**

**Chapter 200: Definitions**

**201 General Definitions**

“TSD” means Thailand Securities Depository Co., Ltd. which operates as a center for providing securities deposit and withdrawal services and other related services for clearing purposes.

“Clearing House” means a limited company of which SET is a shareholder and which operates as a center for providing services for the settlement and clearing of traded securities and other related services.

“SET” means the Stock Exchange of Thailand.

“Capital Market Supervisory Board” means the Capital Market Supervisory Board under the securities and exchange law.

“Office of the SEC” means the Office of the Securities and Exchange Commission under the securities and exchange law.

“SEC” means the Securities and Exchange Commission under the securities and exchange law.

“Securities dealing center” means the securities dealing center under the securities and exchange law.

“Board” means the board of directors of TSD.

“Applicant” means an applicant who submits an application for a depositor at TSD.

\*“Depositor” means a person approved by TSD to use the depositing, withdrawing, and transferring securities services or the clearing for transfer of securities service for the purpose of delivering and taking of delivery of traded securities, and other related services.

*(\*Amended May 29, 2015, Force on August 24, 2015)*

“Customer” means a customer of the depositor.

“Securities account” means an account provided by TSD for the depositing, withdrawing or transferring of securities or for the delivery and taking of delivery of the traded securities.

\*“Transfer of securities” means the transfer of securities from the securities account of a depositor to another securities account of another depositor, or the transfer of securities between the securities accounts of the same depositor, whether or not clearing has been completed.

*(\*Amended September 19, 2013, Force on October 1, 2013)*

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\*“Clearing for transfer” means the deduction of securities from the securities depository account of the Depositor who has the duty to deliver the securities and additionally transfer the securities to the securities depository account of the Depositor who is entitled to take the delivery of the securities in accordance with the securities clearing and settlement report provided by TCH.  
*(\*Amended May 29, 2015, Force on August 24, 2015)*

“Use of securities as collateral” means the use of securities deposited in the system of TSD as the collateral for the debt repayment between the collateral grantor and the collateral recipient.

“Collateral grantor” means a person who uses the securities deposited in the system of TSD as collateral for the performance of debt owed to the collateral recipient.

“Collateral recipient” means a person who receives the securities deposited in the system of TSD as collateral for the performance of debt owed by the collateral grantor.

“Securities” mean the securities under the securities and exchange law.

“Underlying shares” mean the underlying shares under the notification of the Capital Market Supervisory Board which apply to the application for, and approval of, the offering of the newly-issued derivative warrants.

“Force majeure” means any event which may occur and may not be prevented even though reasonable care, as might be expected in such situation and conditions, has been taken.

“Disciplinary Sub-committee” means a sub-committee which is appointed by the board of directors for consideration of an offense by a person who violates, or is involved in the violation of, the regulations of TSD and in punishing said person.

“Appeal Committee” means a committee appointed by the board of directors to consider and make decisions regarding the sanction order.

**202 Definition of Taking of the Transfer of Registered Pledged Securities Incidental to the Transfer of Claims of the Financial Sector Restructuring Authority**

“FRA” means the Financial Sector Restructuring Authority.

“Mutual fund” means a mutual fund established under the Notification of the Securities and Exchange Commission re: Criteria, Conditions and Procedures for the Establishment and Management of Mutual Funds for Resolving Financial Institution Problems.

**203 Purchase or Resale of ETF Investment Units**

“Service member” means a management company as prescribed by SEC in accordance with the criteria, conditions and procedures for the establishment and management of each type of mutual fund.

“Participating dealer” means a person appointed by the service member to make the investment unit purchase or resale order with the service member.

“Trustee” means a person appointed by the service member to act as the trustee of the fund.

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“ETF” means the Exchange Traded Fund under the Notification of the Office of the Securities and Exchange Commission re: the Establishment of Mutual Funds and Execution of Private Fund Management Agreement.

“Portfolio Depository File (PDF)” means the transactions of securities which are the components of the asset and/or cash index, as prescribed by the service member. The PDF shall be used by the service member as the investment unit purchase price for the taking of delivery, or the investment unit resale price for the delivery.

“Balancing Amount (BA)” means a cash amount equivalent to the difference between the Portfolio Depository File and the Net Asset Value (NAV), on the date of trading of the investment unit, which shall be paid by, or returned to, the participating dealer on account of the purchase or resale of the investment units; or the cash amount as prescribed in the prospectus.

“Investment units” means the investment units of ETF.

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