

SEC Thailand's Public Hearing on Draft Regulation Relating to the Exemption of SET's Rules and Regulations from the SEC Board's Approval.

Due to the sixth amendment of the Securities and Exchange Act ("SEA") which comes into force in B.E. 2562 (2019), paragraph 4 of section 170 of the SEA states all rules and regulations issued by the Stock Exchange of Thailand ("exchange rules") shall take effect after approval from the SEC Board has been obtained. Paragraph 6 of section 170 of the SEA, however, states that the requirement for the SEC Board's approval shall not apply to (a) the exchange rule which involve the internal administrative matter of the exchange as specified in paragraph 2 (14), (15) or (16) of section 170 of the SEA or (b) the exchange rule which is exempted as specified in the notification of the SEC Board

In this regard, the SEC Board is seeking public comments on the proposed draft notification which provides the exemption of certain exchange rules from the SEC Board's approval.

Under the proposed SEC Board's Notification, the exchange rule which contains any of the following criteria shall be exempted from the SEC Board's approval upon filing with the SEC Office, except as specified otherwise under criteria (3):

- (1) The proposed rule change is made in compliance with the provision of the SEA or the notifications promulgated thereunder issued by the SEC Board, the Capital Market Supervisory Board or the SEC Office;
- (2) The proposed rule change is made for the purpose of reorganizing or restructuring of the rule but maintaining the materiality of the matters as previously approved by the SEC Board; or
- (3) The proposed rule change is made by modify or amend details of the existing rule, provided that, (a) such modifications or amendments are within the scope of the principles and materiality previously approved by the SEC Board, (b) the change does not involve any public policy and controversial issues, and (c) the SEC Office notifies to the exchange within 15 days that such proposed rule change is qualified under the category (3) of the exemption

For further details of the public hearing, please visit www.sec.or.th/hearing or contact the Market Supervision Department at 0-2033-9632 or email: thitika@sec.or.th

For electronic comments, please send an email to thitika@sec.or.th or korakot@sec.or.th. For paper comments, please send to: The Market Supervision Department, The Securities and Exchange Commission, Thailand, 333/3 Vibhavadi-Rangsit Road, Chomphon, Chatuchak Bangkok 10900, Thailand.

This public hearing will end on October 29, 2019.
