

The Office of the Securities and Exchange Commission (“SEC”) is seeking public comments on the principle amendments and drafted regulations regarding characteristics of bills that issued as securities. The goals are to revise regulations to be consistence with the intention of the Securities and Exchange Act B.E. 2535 (the SEC Act) and facilitate operations of business sectors.

The revised principle of drafted regulations regarding characteristics of bills that issued as securities aims to provide clarity and alignment to the intention of the SEC Act. It also simplifies the commercial activities of lending-business companies and bills issuance among affiliated companies to facilitate lending within the group. To achieve the mentioned objective, the summary of revised regulations are as follows

- (1) Bills issuance to companies with lending business, which intends to be evidence of lending process rather than capital raising, is not classified as securities.
- (2) Bills issuance to the affiliated company with a “non-transferable” or other word with the same meaning statement on the front, which intends to facilitate lending within the same company group and does not intend to be a capital-raising purpose, is also not classified as securities.