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Notification of Thailand Futures Exchange Public Company Limited
Re: Rules and Procedures for Applying for Investor Protection and Compensation
for Assets Made to Investors

TFEX Regulations 1107 and 1108 prescribe provisions related to applications for protection from the fund and assets to be used to compensate to investors.

TFEX hereby prescribes the relevant rules, conditions and procedures with which fund members and investors shall comply as described below

Clause 1. Application for Protection

1.1 Filing of a Protection Application and the Relevant Documents

An investor shall submit his/her application and at least the following documents to TFEX:

- (1) an agreement for appointment as broker or agent for derivatives contracts trading between the fund member and the investor;
- (2) an evidence of right to the return of assets from the fund member; and
- (3) other evidence as prescribed by TFEX.

1.2 Consideration for the Request

Applications for protection shall be reviewed by TFEX in accordance with the following rules:

- (1) during the consideration of its request, if the investor wishes to make amendments or modifications to the information or documents that have been submitted, the investor shall submit an amendment thereto by clearly showing the difference between the existing ones and the amended ones and provide reasons therefore within the time limit prescribed by TFEX;

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(2) during the consideration of its request, the investor who has submitted a protection application shall agree and consent to cooperating with TFEX by making clarification and providing, additional documents or evidences to TFEX upon requested by TFEX;

(3) upon TFEX has received complete documents and evidences, TFEX shall make consideration and propose its opinion to the Board to approve the compensation for assets to the investor.

1.3 Approval to Provide the Protection

Approval of the compensation for assets to investors shall be the exclusive authority of the Board. A resolution of the Board shall be deemed conclusive and binding on the fund members.

(1) In the event that the Board resolves that TFEX shall compensate for assets to an investor, that investor shall prepare and submit a letters of assignment of claims in the prescribed form to TFEX within the time limit prescribed by TFEX.

(2) The investor shall receive compensation for assets from the fund after TFEX has received the correct and complete letter of assignment of claims within the time limit prescribed by TFEX.

(3) An investor who has received compensation for assets from the fund, that investor shall agree to give cooperation or give any assistance to TFEX to enable TFEX to recover the assets to compensate the investor from the fund member who has caused loss or damage to the investor

Clause 2. Compensation for Assets to Investors

The fund shall compensate to investors in cash for derivatives contracts which the investors have suffered loss or damage, as subject to the following rules:

(1) The investor shall be compensated for the amount specified in an arbitration award. Where the arbitral tribunal does not state in its award the amount to be compensated by the fund member to the investor, the fund shall calculate the value of the loss to be compensated based on the delivery price or reference price in order to calculate the difference in the settlement price or price to perform obligations prescribed by the Clearing House Office for the derivatives contract which the investor suffered the loss.

(2) The investor shall be compensated based on the delivery price or reference price in order to calculate the difference in the settlement price or price to perform obligations prescribed by the Clearing House

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Office for the derivatives contract which the investor suffered the loss as at the end of a business day on which a court grants an absolute receivership order under the law on bankruptcy in order to compensate such investor.

The Notification shall come into force from 15 November 2012 onwards.

Notified this 14th day of November 2012.

(Signed) Kesara Manchusree

(Mrs.Kesara Manchusree)

Managing Director