

(Translation)

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

---

**The Office of the Securities and Exchange Commission**

Notification of the Office of the Securities and Exchange Commission

No. SorNor. 2/2548

Re: Establishment of Mutual Funds and Execution of Agreements for  
Management of Private Funds  
(No. 2)

---

By virtue of Section 118 (1) of the Securities and Exchange Act B.E. 2535 (1992), along with Clause 3, Clause 6 and Clause 16, with the approval of the Securities and Exchange Commission, and Clause 19 of the Notification of the Securities and Exchange Commission No. KorNor. 30/2547, Re: Rules, Conditions and Procedures for Establishment and Management of Funds, dated 10 June 2004, the Office hereby issues the following regulations:

**Clause 1.** The following provision shall be added as (m) under (2) in Clause 4 of the Notification of the Office of the Securities and Exchange Commission No. SorNor. 23/2547 Re: Establishment of Mutual Funds and Execution of Agreements for Management of Private Funds dated 11 June 2004.

“(m) Tsunami Fund which refers to a mutual fund established with an objective to use proceeds from sale of investment units for investment in securities of businesses directly affected by the Tsunami disaster on 26 December 2004 in six southern provinces.”

**Clause 2.** The following provision shall be added as Chapter 8 Additional Rules of Tsunami Fund under Part 1 Establishment of Mutual Funds and Sale of Investment Units Clause 42/1 and Clause 42/2 of the Notification of the Office of the Securities and Exchange Commission No. SorNor. 23/2547 Re: Establishment of Mutual Funds and Execution of Agreements for Management of Private Funds dated 11 June 2004.

“Chapter 8

Additional Rules of Tsunami Fund

---

**Clause 42/1.** The mutual fund management company may be granted an approval for establishment and management of a tsunami fund in accordance with the following rules:

- (1) Being a mutual fund to be established only as a non-retail fund.

(Translation)

2

(2) An application for establishment and management of a tsunami fund must be submitted within six months from the effective date of the Notification of the Office of the Securities and Exchange Commission No. SorNor. 2/2548 Re: Establishment of Mutual Funds and Execution of Agreements for Management of Private Funds (No. 2) dated 26 January 2005.

(3) Clearly specifying in the mutual fund management scheme that the mutual fund management company shall not make any additional investments in the securities of businesses directly affected by Tsunami disaster on 26 December 2004 in six southern provinces upon the completion of the second year of registration of the mutual fund.

**Clause 42/2.** The mutual fund management company shall conduct the initial offering for sale of investment units and register the proceeds as a mutual fund with the Office within six months from the date on which the company receives an approval for establishment and management of the mutual fund.”

**Clause 3.** This Notification shall come into force from 26 January 2005.

Notified on this 26<sup>th</sup> day of January 2005.

- Signature -

(Mr. Thirachai Phuvanatanarubala)

Secretary-General

The Office of the Securities and Exchange Commission

Published in the Government Gazette, General Issue, Vol. 122, Special Section 25 Ngor, dated 3 March 2005.