

**Notification of the Board of the Deposit Protection Agency
Regarding the Rules, Procedures, and Conditions for the Filing of Applications for Depositor
who did not Receive Compensation according to Section 53/2 B.E. 2561 (2018)**

By virtue of Section 25 (6/2) and Section 53/2 of the Deposit Protection Agency Act B.E. 2551 (2008), which has been amended by the Deposit Protection Agency Act (No. 2) B.E. 2560 (2017), the Board of the Deposit Protection Agency (“Board”) has prescribed the Rules, Procedures, and Conditions for the Filing of Applications for Depositor who did not Receive Compensation according to Section 53/2 as follows:

Clause 1. This Notification is called “Notification of the Board of the Deposit Protection Agency Regarding the Rules, Procedures, and Conditions for the Filing of Applications for Depositor who did not Receive Compensation according to Section 53/2 B.E. 2561 (2018)”.

Clause 2. This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Clause 3. In this Notification

“Agency’s Agent” means the juristic person whom the Agency announces and prescribes to perform the duty in receiving the application of the depositor.

Clause 4. After the expiration of the thirty-day period as from the date on which the financial institution’s license was revoked, the depositor who did not receive compensation according to Section 53 shall submit an application requesting for compensation to the Agency’s Agent at the office of the Agency’s Agent or to any other channels as announced and prescribed by the Agency.

The Agency shall announce and prescribe the period of time which the depositor shall file an application under the First Paragraph, but such period shall be due within two hundred and seventy days after the expiration of the thirty-day period as from the date on which the financial institution’s license was revoked.

Clause 5. After the Agency has received the application together with all complete documents or evidences from the Agency’s Agent or from other channels as announced and prescribed by the Agency, the Agency shall make a decision on the application within sixty days as from the date of receipt of the application, except where it is necessary that a decision could not be made within the aforesaid period, the Agency shall give a written notice to the depositor for acknowledgement prior to the due period. In this regard, the period for making a decision on the application may be extended but not exceeding thirty days as from the aforesaid due period.

In the event where the Agency fails to complete the consideration of the application within the period under the First Paragraph, it shall be deemed that the Agency agrees with the application.

Clause 6. The provision of the Notification of the Board of the Deposit Protection Agency Regarding the Rules, Procedures, and Conditions concerning the Compensation to Depositors according to Section 53, relating to the calculation of compensation which the Agency shall make to the depositor, shall apply *mutatis mutandis*.

Clause 7. In the event where the result of consideration shows that the Agency shall make compensation to the depositor according to Section 53, the Agency shall make compensation to the depositor within fifteen days as from the date on which the Agency has completely considered the application.

After the compensation has been made to the depositor according to the First Paragraph, the Agency shall notify the depositor for acknowledgement in writing by sending such notice *via* registered mail with acknowledgement of receipt according to the house registration of the depositor.

Clause 8. The sending of the written notice under Clause 5 and Clause 7 may be made in the form of electronic information according to the laws governing the electronic transaction by sending the notice *via* electronic mail or *via* other channels as announced and prescribed by the Agency.

Clause 9. In the event where there is an order of attachment of claim in the deposit account of the depositor by virtue of any provision of law, or a claim in the deposit account of the depositor has guaranteed any debt payment, the Agency shall temporarily suspend the payment according to the attached amount or the amount which has guaranteed the debt payment, until there is an order of attachment revocation, or when the guaranteed debt has been extinguished or where the burden of guarantee of such deposit account has already been released, as the case may be.

Clause 10. When there is an order of attachment revocation, or when the guaranteed debt has been extinguished or where the burden of guarantee of such deposit account has already been released, the depositor whose the payment has been suspended under Clause 9 may file his/her application and attach the evidence with such application to the Agency asking for compensation.

The application form including documents and evidences under the First Paragraph shall be in compliance as announced and prescribed by the Agency.

Clause 11. In the event where the Agency has already considered that the application and the documents and the evidence under Clause 10 are correct and complete, the Agency shall make compensation under Clause 9 to the depositor within fifteen days as from the date on which the application has been completely considered and the provision governing the procedure of making of compensation under Clause 7 shall apply *mutatis mutandis*.

Clause 12. The aggregate sum of which the Agency pays to each depositor under Clause 7 or Clause 11, as the case may be, shall not exceed one million baht as prescribed in Section 53, unless where there is the Royal Decree issued by virtue of Section 54 prescribing a higher protected deposit, in such case, the Agency shall make compensation not exceeding the amount prescribed in such Royal Decree.

Notified on 21 May B.E. 2561(2018)
Krisada Chinavicharana
Chairman of the Board of the Deposit Protection Agency