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TRANSLATION

(For official purposes, only the Thai text will be relevant)

NON-LIFE INSURANCE ACT B.E. 2535 (1992)

BHUMIBOL ADULYADEJ, REX.,

Given on the 4th day of April, B.E. 2535 (1992)

Being the 47th Year of the Present Reign

[Amended by NON-LIFE INSURANCE ACT (No.2) B.E. 2551 (2008)]

By Royal Command of His Most Excellent Majesty King Bhumibol Adulyadej, it is hereby proclaimed that:

It is deemed expedient to revise the Non-Life Insurance Act.

Therefore, it is enacted by His Majesty the King, by and with the advice and consent of the National Legislative Assembly, as follows:

Section 1 This Act shall be called the "Non-Life Insurance Act, B.E. 2535 (1992)"

Section 2 This Act shall come into force on and from the day following the date of its publication in the Royal Gazette.

Section 3 The Non-Life Insurance Act, B.E. 2510 (1967) shall be repealed.

Section 4 In this Act,

"**Non-Life Insurance**" means any damage which may be estimated in terms of money and shall include loss of rights, benefits, or income.

"**Company**"¹ means a public limited company which has been licensed to engage in the Non-Life Insurance Business under this Act, and shall include the branch office of a foreign Non-Life Insurance company which has been licensed to engage in the Non-Life Insurance business in the Kingdom under this Act.

"**Head Office**" includes a branch office of a foreign Non-Life Insurance companies which has obtained a license to engage in the Non-Life Insurance Business in the Kingdom under this Act.

"**Non-Life Insurance Business**" includes the reinsurance business.

(The definition of "**Capital Funds**"² was repealed.)

"**Non-Life Insurance Agent**" means a person assigned by a Company to induce persons to enter into a Non-Life Insurance contract with the Company.

"**Non-Life Insurance Broker**" means a person who, expecting a commission, indicates the opportunity or arranges for a person to enter into a Non-Life Insurance contract with a Company.

"**Commission**"³ means the Insurance Commission.

"**Fund**"⁴ means the Non-Life Insurance Fund.

"**Competent Officer**" means a person appointed by the Minister to act in accordance with this Act.

¹ Amended by the Non-Life Act (No.2), B.E.2551

² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551.

³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551.

⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551.

"Registrar" ⁵ means the Secretary-General of the Insurance Commission, or his designated person.

"The Minister" means the Minister in charge of the enforcement of this Act.

Section 5⁶ The Minister of Finance shall have the care and charge of the execution of this Act, and shall be empowered to appoint competent officials, issue Ministerial Regulations prescribing the fee rates, which shall not be in excess of the rates in the Schedule annexed hereto, and determine other activities for the execution of this Act, as well as to issue Notifications by virtue of the provisions of this Act.

The Ministerial Regulations and Notifications shall come into force upon their publication in the Royal Gazette.

Chapter I Company

Section 6⁷ The Non-Life Insurance Business may be undertaken only by a public limited company under the Law on Public Limited Companies, and with a license to engage in the Non-Life Insurance Business from the Minister, with the approval of the Cabinet.

An application for a license to engage in the Non-Life Insurance Business under

the foregoing paragraph shall be lodged by the company promoters, with the Minister. When the Minister, with the approval of the Cabinet, grants approval to engage in the Non-Life Insurance Business, the company promoters shall incorporate a public limited company, and shall place a security deposit, according to section 19, and maintain a capital fund, according to section 27, within six (6) months of the date of incorporating the public limited company.

When the Minister finds that the applicants have fulfilled their obligations under the second paragraph, a license shall be issued to the public limited company incorporated by them.

If the public limited company is unable to place a security deposit or maintain a capital fund within the prescribed period, the approval to engage in the Non-Life Insurance Business shall be deemed to be nullified.

The application for, and the issuance of, a license shall be in accordance with the rules, procedures, and conditions prescribed in the Ministerial Regulations. The Minister may also prescribe various conditions in the license.

Section 7 A foreign Non-Life Insurance company may establish a branch office for the undertaking of the Non-Life Insurance Business under this Act only after a license from the Minister, with the approval of the Cabinet, has been obtained. Such approval may be granted with conditions, as the Minister may prescribe.

The application for and issuance of a license to engage in the Non-Life Insurance Business, through the establishment of a branch office of the foreign Non-Life Insurance Company under the first paragraph, shall be in accordance with the rules and procedures prescribed in the Ministerial Regulations.

⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551.

⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551.

⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

A branch office of the foreign Non-Life Insurance company that has obtained a license to engage in the Non-Life Insurance Business shall maintain assets in Thailand, in accordance with amounts, types, rules, and conditions prescribed by the Commission in the notifications. The amount of the assets prescribed by the Commission shall not be less than the amount of the capital funds maintained by the Company under Section 27.

The Minister shall grant a license under the provision of the first paragraph only after the Company has placed a security deposit in accordance with Section 19 and has maintained assets in Thailand in accordance with the third paragraph.

A Company which is the branch office of a foreign Non-Life Insurance Company cannot open a branch office anywhere.

A branch office shall include an office that is separated from a Company's Head Office, no matter by what name it goes, and that receives its expenditures from the Company, either directly or indirectly. However, this does not include a location used as an information operating unit, a document-keeping place, or a training place, in relation to Company business, which has obtained the Registrar's approval.

Section 8⁸ The Company's ordinary shares and preference shares shall be in the form of a named certificate, and shall have a registered par value of not more than one hundred baht (Baht 100) per share.

The issuance of preference shares under the foregoing paragraph shall be in accordance with the Law on Public Limited Companies. The Registrar may prescribe the rules, procedures, and conditions for protecting the interests of the insured, provided that those rules, procedures, and conditions are not in conflict with the Law on Public Limited Companies.

Section 9⁹ Not less than three-fourths (3/4) of the total directors of the Company must be Thai nationals and more than seventy-five percent (75%) of the total number of the voting shares that have been sold must be held, in aggregate, by persons stipulated under (1) and/or (2) below:

(1) Thai individuals, or non-registered ordinary partnerships, in which all partners are Thai nationals;

(2) Juristic persons registered in Thailand and possessing the following characteristics:

(a) having persons under (1) holding shares in excess of fifty percent (50%) of the total number of voting shares that have been sold, or

(b) having persons under (1), or the juristic persons under (2)(a), or the persons under (1) and the juristic persons under (2)(a), holding shares in excess of fifty percent (50%) of the total number of voting shares that have been sold.

If the Commission deems appropriate, it may permit persons of non-Thai nationality to hold shares in a proportion of up to forty-nine percent (49%) of the total number of voting shares that have been sold, and permit persons of non-Thai nationality to serve as directors, in an amount exceeding one-fourth (1/4), but less than

one-half (1/2), of the total number of directors. In granting such permission, the rules regarding shareholding by the persons under the first paragraph shall apply, *mutatis mutandis*.

⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

In the event the Company's standing or operations are in a condition that might cause damage to the insured or the public, the Minister, upon the recommendation of the Commission, is empowered to grant a relaxation to permit the Company to have shareholders or directors otherwise than as stipulated under the second paragraph. When granting such relaxation, the Minister may also prescribe the rules, or time conditions for such.

Section 10 If any person has acquired the shares of any Company, and such acquisition causes the number of shares or shareholders to violate section 9 or to not be in compliance with section 11, such person may not hold shares in excess of the prescribed percentage against the Company, and the Company shall not pay dividends or any pecuniary benefit on the excess shares to such person or allow such person to exercise voting rights on said shares at a shareholders meeting.]

Section 11 For the purpose of compliance under section 9 and section 10, the Company shall examine its registration of shareholders not less than three (3) months prior to each shareholders meeting and shall inform the Registrar of the particulars of the result of such examination, within the period of time prescribed by the Registrar. If any shareholder is found to hold shares in excess of the percentage prescribed in section 9, the Company shall so notify such person within fifteen (15) days from the date of finding and such person must take steps to rectify this within one (1) month from the date of receipt of notice.

Section 12 The provisions of section 8, section 9, section 10, and section 11 shall not apply to a Company that is a branch office of a foreign Non-Life Insurance Company, under section 7.

Section 13¹⁰ A transfer or acceptance of transfer of business, either in whole or in part, or a Company amalgamation, may only be executed between companies.

If any Company wishes to transfer or accept the transfer of a business, either in whole or in part, or to enter into an amalgamation according to the foregoing paragraph,

the boards of directors of such companies shall jointly prepare and submit an operating scheme to the Commission. When granting its consent, the Commission may also prescribe any condition deemed appropriate to protect the interests of the insured, or to ensure the stability of business operations.

Section 13/1¹¹ A transfer of business, either in whole or in part, may commence after the consent of the Commission is received, according to section 13, paragraph two. The assignment of claim in such business transfer shall not be subject to the requirement to give notice to a debtor, according to section 306 of the Civil and Commercial Code, provided that such assignment is without prejudice to the debtor's right to set up a defense under section 308, paragraph two, of the Civil and Commercial Code.

In the event the entire business of a Company is transferred, such a transfer shall be deemed valid when the transferor company and the transferee company have

¹⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

¹¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

complied with the conditions prescribed by the Commission under section 13, paragraph two, and shall be considered the revocation of the license to engage in the Non-Life Insurance Business, issued to the transferor company.

Section 13/2¹² An amalgamation of companies shall be in accordance with the Law on Public Limited Companies.

An amalgamation of companies under the foregoing paragraph shall be valid when the amalgamating companies have complied with the conditions prescribed by the Commission under section 13, paragraph two. It shall be deemed that the surviving company has been granted approval to engage in the Non-Life Insurance Business according to section 6, paragraph one.

When the amalgamation is registered, a security deposit is placed according to section 19, and capital funds are maintained according to section 27, the Minister shall issue a license to the surviving company. Such issuance shall operate as a revocation of the license to engage in the Non-Life Insurance Business, issued to the predecessor company.

Section 13/3¹³ In a transfer of all or any part of the business of one Company to another company, or an amalgamation of companies, if the assets to be transferred include any collateral other than the right of mortgage, right of pledge, or right arising from a suretyship, which must pass to the transferee company by virtue of section 305 of the Civil and Commercial Code, such other collateral shall pass to the transferee company or the surviving Company, as the case may be.

Section 14¹⁴ Apart from the fees for a license to engage in the Non-Life Insurance Business, the Company must pay an annual fee for the operation of the Non-Life Insurance Business every year, except in the year its license is issued.

If any Company fails to pay its annual fee within three (3) months of the end of a calendar year, the Registrar shall issue an order to prohibit such Company from expanding its business, until the fee is fully and correctly paid and the order of prohibition by the Registrar is revoked.

For the purpose of this section, when determining whether an event is an expansion of business under the second paragraph, the provisions in section 27/6, paragraph two, and the penalty in the case of a violation of section 27/6, paragraph one, as provided for under section 89/1, shall apply, *mutatis mutandis*

Section 15¹⁵ (Repealed)

Section 16¹⁶ A Company under section 6 that opens a branch office, relocates its Head Office or branch office, or dissolves its branch office must obtain the permission of the Registrar, wherein the provisions in section 7, paragraph six, shall apply, *mutatis mutandis*.

¹² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

¹³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

¹⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

¹⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

¹⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Applications for, and the granting of, permission shall be in accordance with the rules, produces, and conditions prescribed by the Commission.

Section 17¹⁷ No person shall act as an insurer by entering into a Non-Life Insurance contract with any person, unless he/she has obtained a license to engage in the Non-Life Insurance Business.

No person shall use an insurance policy of a Company, to which he/she is not entitled, in accordance with this Act.

Section 18 No person shall make use of the name or the description of “non-life insurance,” or any other word or words having the same meaning, except the following persons:

- (1) a Company;
- (2) an association, the majority of whose members are officers or employees of a Company;
- (3) an association, the majority of whose members are Non-Life Insurance Agents or Brokers;
- (4) an Employer’s Association or Labour Union, the majority of whose members are officers or employees of a Company;
- (5) A Non-Life Insurance Agent or Broker who makes use of the description in his business as an agent or broker, as the case may be;
- (6) a non-life insurance education institute, or other institute relating to the Non-Life Insurance Business, that makes use of the description in its name; or
- (7) a director, officer, employee, member, or a person having any status, position, or duty in a Company, association, labour union, institute of Non-life insurance education, or other institute relation to the Non-Life Insurance Business, under (1), (2), (3), (4) and (6) who use such description to show their status.

¹⁸The use of a name, or an expression of a name, in the business of a Non-Life Insurance Agent or Non-life Insurance Broker under (5) shall be in accordance with the rules, procedures, and conditions prescribed by the Registrar.

Section 19 The Company shall place securities with the Registrar, as a security deposit, in the value prescribed by the Registrar in the Ministerial Regulations.

The category of insurance and the value of the securities placed with the Registrar under the first paragraph shall be in accordance with the Ministerial Regulations.

The securities of the Company, required to be placed with the Registrar, may be cash, Thai government bonds, or any other assets, as prescribed by the Minister in the notifications.

The Company may ask for permission to change the security deposit placed, subject to the provisions of the second and third paragraphs.

Section 20 If the value of the security deposit of any Company is lower than that prescribed in accordance with the Ministerial Regulations, issued under section

¹⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

¹⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

19, the Commission may order such Company to deposit an additional security, up to the amount prescribed, within two (2) months from the date of receipt of the order.

Section 21 If the value of the security deposit of any Company is increased to the extent that such value is greater than that prescribed in accordance with the Ministerial Regulations, issued under section 19, the Commission may order the release of the portion of the security deposit which is in excess of the amount prescribed, upon the request of the Company, provided it is able to prove the excessive value.

Section 22 If a Company discontinues any category of the Non-Life Insurance Business, which results in the security deposit being higher than that prescribed for the remaining Non-Life Insurance Business, the Company shall be entitled to a return of the portion of the property placed as the security deposit in excess of the amount prescribed for the undertaking of such remaining Non-Life Insurance Business, upon the Company showing evidence to the satisfaction of the Commission that the Company has discharged its debts and has no further liability for the undertaking of the category of insurance business that was discontinued.

Section 23¹⁹ A Company shall allocate reserves for:

- (1) Unearned Premiums Reserve
- (2) Loss Reserve ; and
- (3) Other Reserves, as prescribed by the Commission.

The reserves under the foregoing paragraph may be cash, Thai government bonds, or other assets, in accordance with the rules, procedures, conditions, and proportion prescribed by the Commission.

Section 24 The Commission has power to order a Company to place a reserve under section 23(1) with the Registrar, in accordance with the type of insurance and rates, rules, and procedures prescribed in the notifications.

Section 25 If the security deposit placed with the Registrar by the Company under section 19 and the reserve placed with the Registrar under section 24 are assets of which transfer or acquisition are required to register with the official under the law or executed with the third party which involves in transfer or acquisition of the said asset, the Registrar shall notify the Competent Officer or the person concerned in writing and no official or the persons concerned shall transfer or dispose the said asset until the Registrar has notified at revocation or change in the said asset in writing.

Section 26 The security deposit under section 19 and the reserve under section 23, placed by Company at all time during the company operation with the Registrar under section 24, are not subject to execution.

In the event a Company dissolves, creditors having the right to receive payment of debts from insurance shall have preferential rights on the assets placed as a security deposit under section 19 and reserve under section 23(1), placed with the Registrar under section 24, and shall have the right to receive payment from said assets prior to any other creditors having other preferential rights.

¹⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

In the event a Company goes bankrupt, creditors having the right to receive payment of debts from insurance shall have preferential rights on the assets placed as a security deposit under section 19 and reserve under section 23(1), placed with the Registrar under section 24, and shall have the same right to receive payment from said assets, as a secured creditor under the bankruptcy laws.

A creditor having the right to receive payment of debts from insurance shall have the right to receive payment from the Company's assets,[apart from the assets placed as a security deposit under section 19 and reserve under section 23(1), placed with the Registrar under section 24], like a holder of preferential rights, on account of tax under the Civil and Commercial Code.

Chapter I/1²⁰

Maintenance of Capital Funds and Liquid Assets

Section 27²¹ The Commission shall be empowered to prescribe the types and categories of capital funds, including the rules, conditions, and procedures for the computation of a Company's capital funds.

A Company must maintain capital funds at all times throughout the period of its operation of a Non-Life Insurance Business, in proportion with its assets, liabilities, obligations, or risks, at the rate prescribed by the Commission.

The Commission shall determine the maintenance rate of the capital funds rate, in accordance with each or all sizes or types of assets, liabilities, obligations, or risks.

In the event that a Company buys repurchases shares under the law on public limited companies, none of such shares shall be counted as part of the capital funds. Capital funds shall be deducted in accordance with the rules, procedures, and conditions prescribed by the Commission.

A Company is prohibited from using its capital funds to incur any obligation, subject to the rules, procedures, and conditions prescribed by the Commission.

Section 27/1²² A Company shall maintain liquid assets, in proportion with its assets, liabilities, obligations, or capitals under section 23, at not less than the rate prescribed by the Commission.

The Commission, in determining the maintenance rate for liquid assets under the foregoing paragraph, may determine such maintenance rate for certain types or all types of liquid assets, or may determine the proportion of each type thereof at any rate.

If a liquid assets maintenance rate that the Commission has determined under this section increases, such increase shall be announced at least sixty (60) days prior to the effective date.

Section 27/2²³ Liquid assets include :

- (1) cash or deposits at banks, in accordance with the rules, procedures, and conditions prescribed by the Commission;
- (2) Thai government securities or Bank of Thailand's securities;

²⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

²¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

²² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

²³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(3) debentures or bonds, for which the Ministry of Finance, the Bank of Thailand, or the Financial Institutions Development Fund has guaranteed their principal and interest; or

(4) other assets, in accordance with the rules, procedures, and conditions prescribed by the Commission.

The liquid assets under (2), (3), and (4) above shall be negotiable and free from any obligation.

Section 27/3²⁴ A Company shall manage its assets, liabilities, obligations, and reserves under section 23 to be consistent with the period of receipt of insurance premiums, receipt of payments from the insured or the public, or the period of borrowing, in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 27/4²⁵ A Company shall allocate its assets for liabilities and obligations under insurance contracts, in accordance with the types, categories, and ratios prescribed by the Commission.

A Company shall deposit reserves under section 23, except for the portion placed with the Registrar under section 24 and assets under the foregoing paragraph, with financial institutions, or manage them in accordance with the rules, procedures, and conditions prescribed by the Commission.

A Company is not permitted to use the assets under paragraph two to incur obligations, subject to the rules, procedures, and conditions prescribed by the Commission.

Section 27/5²⁶ A Company shall have a capital funds maintenance report prepared and presented to the Registrar every month, in accordance with the rules, procedures, and conditions prescribed by the Registrar.

In the event the capital funds of any Company are reduced to less than the capital funds level required to be maintained under section 27, paragraph two, the Company shall propose a scheme to revive the condition of its capital funds, within thirty (30) days of the receipt of notice by the Registrar, or the detection of such condition by the auditor of the Company.

The scheme under paragraph one shall consist of at least the following particulars:

- (1) steps to increase capital funds to reach a sufficient amount;
- (2) the capital fund level anticipated to be maintained in each quarter, throughout the period of the scheme;
- (3) the description of the business to be carried out; and
- (4) the period of the scheme shall not exceed one (1) year.

The Registrar shall review the scheme and give notice of his consideration to the Company within thirty (30) days of the receipt of the scheme. The Registrar may also prescribe conditions or time conditions in his consent.

In the event that the Registrar rejects the scheme, or a Company disagrees with the conditions or time conditions determined by the Registrar, the Company shall have the right to appeal to the Commission within thirty (30) days of the receipt of

²⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

²⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

²⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

notice. The Commission shall completely review the appeal within sixty (60) days of receipt of the appeal.

The decision of the Commission is final.

Section 27/6²⁷ While executing the approved scheme under section 27/5, a Company may carry out its normal business, but may not expand its business, until the Company is able to maintain capital funds in accordance with section 27 paragraph two.

To expand a business under the foregoing paragraph means:

(1) to accept new insurance, or to expand the insured amount of existing insurance policies;

(2) to increase risks of investments in other businesses of the Company;

(3) to incur additional obligations, except as required by the existing obligations;

(4) to enter into a contract to appoint an additional Non-Life Insurance Agent or Broker; or

(5) to receive a transfer of business from another Company.

The Registrar shall determine and announce those cases which represent an increase of risk under (2) or those cases which represent the incurrence of additional obligations under (3).

Section 27/7²⁸ The Registrar shall consider carrying out the acts stated in section 52 if any of the following events occurs:

(1) a Company fails to propose a scheme under section 27/5 to the Registrar, within the specified time;

(2) a Company fails to carry out activities under the scheme, or carries out activities not in accordance with the approved scheme under section 27/5, in accordance with the conditions or time conditions prescribed by the Registrar; or

(3) a scheme proposed under section 27/5 is rejected and the Company fails to appeal such rejection within the specified time, or the Commission makes a decision to dismiss such appeal.

Chapter II

Supervision of Companies

Section 28 Apart from non-life insurance, a Company may invest in only business as prescribed by the Commission in the notifications. The Commission may prescribe conditions for said business, to be conducted by the Company.

Section 29 Insurance policies, including related documents and endorsements, shall be in the forms and with the wording approved by the Registrar.

The Registrar may order, in his discretion or upon application by a Company, to change, amend, add, or repeal the forms and wording, partially or wholly, which is already approved by the Registrar under the first paragraph.

In the event a Company issues an insurance policy which differs in form or wording from that approved by the Registrar under the first or second paragraph, the insured or beneficiary under the insurance policy shall have the option of holding the

²⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

²⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Company liable for payment in the form and text as issued by the Company or as approved by the Registrar. Whether or not the insured or beneficiary under the insurance policy exercises said right, the Company shall not be released from liability as stated in this Act.

In the event a Company issues an insurance policy, the form or text of which was not approved by the Registrar under the first or second paragraph, the insured shall have the option of holding the Company liable under the insurance policy or terminating the Non-Life Insurance contract, and having the Company return premiums paid to the Company. Whether or not the insured or beneficiary exercises said right, the Company shall not be released from liability as stated in this Act.

Section 30 The premium rates prescribed by the Company shall be approved by the Registrar.

The Registrar may, in his discretion or upon application by a Company, order such rates as approved by the Registrar changed, provided that any change in the rate shall not affect insurance policies for which premium rates have already been approved by the Registrar.

Section 30/1²⁹ The text of or pictures in an advertisement or prospectus shall be deemed an integral part of the insurance policy. If any content or picture contains a meaning in conflict with the insurance policy, it shall be interpreted in a way that is favorable to the insured or the beneficiary of the insurance policy, as the case may be. A Non-Life Insurance Agent is not allowed to use any content or picture of an advertisement or prospectus that has not been approved by the Company to solicit a person to enter into a Non-Life Insurance contract.

Section 31 No Company shall:

- (1) engage in the life insurance business;
- (2) underwrite risks exceeding the following amounts, except by written permission of the Registrar:
 - (a) underwriting of fire insurance of a single or several risks combined, for the same insured peril, within an area prescribed by the Registrar, for an insured sum exceeding ten percent (10%) of the capital funds;
 - (b) underwriting of Non-Life Insurance on a vehicle for land, water, air, and persons or property being in said vehicle, and liability insurance for the same insured peril, for an insured sum exceeding ten percent (10%) of the capital funds, for each vehicle; or
 - (c) underwriting of other insurance, other than (a) or (b), for any of a single insured sum exceeding ten percent (10%) of the capital funds.

In the case of reinsurance for risks under (a), (b), or (c) which becomes effective at the same time as the insurance of such risks, the insured sum of the reinsurance shall not be calculated to include the sums prescribed under (a), (b), or (c);
- (3) reduce its capital without written permission of the Registrar, with the consent of the Commission;
- (4) deposit money elsewhere than in banks, finance companies, or finance and securities companies;

²⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

- (5) keep cash anywhere except at the office of the Company;
- (6) pay any money or property to a director, manager, advisor, officer, or employee of the Company as commission or remuneration for or in connection with any transaction or any act, other than gratuities, salaries, bonuses, or money which may normally be paid to them;
- (7) pay any money or property to Non-Life Insurance Agents or Brokers, apart from wages or commission which may normally be paid to them;
- (8) advance money or property to any person as commission or remuneration for work to be done for the Company;
- (9) pay commission to a person who assists in obtaining an insurance contract, but who is not a Non-Life Insurance Agent or Broker of the Company;
- (10) buy or hold immovable property, except:
 - (a) those for use as premises for the business of the Company, or for the welfare of officers and employees of the Company, as may be reasonable;
 - (b) those for use for investment in other businesses, as prescribed by the Commission under section 28; or
 - (c) those acquired by the Company as a result of a debt settlement or enforcement of mortgage.
- The purchase or possession of immovable property under (a) or (b) or the acquisition of immovable property as a result of a debt settlement under (c) requires the written approval of the Registrar. Such approval may be granted with any condition as the Registrar may prescribe;
- (11) give special benefits to insureds or beneficiaries under an insurance policy, in addition to those specified in the insurance policy;
- (12) accept from the insured a payment of premiums in an amount less than the amount payable;
- (13) appoint or authorize persons other than Non-Life Insurance Agents, Non-Life Insurance Brokers, or officers of the Company who have duties concerning receipt of money, as a receiver of premium payments;
- (14) issue an insurance policy without the signature of an authorized director(s) to bind the Company and without the Company seal, as registered, affixed, or without the signature of the branch manager of a foreign life insurance company, as shown in the license to engage in the Non-Life Insurance Business, and without the seal affixed (if any), as the case may be;
- (15) advertise the Company or its Non-Life Insurance Business in a false or exaggerated manner;
- (16) appoint or assign persons other than Non-Life Insurance Agents of the Company to induce or procure persons to enter into non-life insurance contracts with the Company, except for the acts of directors, officers, or employees of the Company, for and on behalf of the Company; or
- (17)³⁰ sell or give any immovable property or movable property, with an aggregate value exceeding the amount prescribed by the Registrar, to any of its directors, or purchase assets from any of its directors, including a person related to any of its directors, as announced by the Commission, except with the consent of the board of directors of the Company and the approval of the Registrar.

³⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 32 An order of disapproval of the Registrar under section 31(2) may be appealed to the Commission within fifteen (15) days from the day the notice becomes known. The decision of the Commission is final.

Section 33³¹ The Company shall dispose of immovable property, vested in the Company under section 31(10), in the following events:

(1) those maintained by the Company for use as the premises for the business of the Company, or for the welfare of officers or employees of the Company, or for investment in other businesses under sections 31(10)(a) or (b), but not used, shall be disposed of within five (5) years from the cessation of use;

(2) those acquired by the Company as a result of a debt settlement or foreclosure under section 31(10)(c) shall be disposed of within five (5) years from the acquisition, unless the approval of the Registrar is obtained to maintain them for an activity under section 31(10)(a) or (b).

The Registrar may extend the period under (1) and (2) above, in accordance with the period prescribed by the Commission. The Registrar may also prescribe the conditions for the extension of such period.

Section 34³² A director, manager, or person authorized to act on behalf of a Company, or a consultant to a Company, shall hold a bachelor's degree or higher qualification, or shall have work experience in relation to an insurance business, and shall not have any of the following qualifications:

(1) is, or has been, declared bankrupt;

(2) has been imprisoned by a final court judgment, for an offense relating to property;

(3) has been a director, a manager, or a person authorized to act on behalf of a Company, at the time such Company had its life or non-life insurance license withdrawn, except the person whom the Registrar, with the approval of the Commission, appointed to hold such office at such time;

(4) is a director, a manager, or a person authorized to act on behalf of another Company, licensed to engage in the Non-Life Insurance Business, unless an exception in accordance with the rules and conditions prescribed by the Commission has been granted;

(5) is removed from the position of director, manager, or person authorized to act on behalf of a Company, under section 53;

(6) is a political official or a person holding a political office;

(7) is a government official or an officer of the Office of the Insurance Commission, having a responsibility to supervise a Company, unless the Company is a public enterprise or the appointment is made with the approval of the Commission, for the purpose of assisting in the operations of the Company, or the person is appointed under section 53; or

(8) has a bad record or carries out any activity showing a lack of responsibility or due care that a person of such profession is supposed to have in his manner and conduct.

³¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

³² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 35³³ Subject to section 66, no Company shall appoint or assign any person to accept Non-Life Insurance contracts, using an insurance policy of the Company.

No Company shall appoint or assign any person to compensate claims under an insurance policy, wholly or partly, except for reinsurance, unless permission is granted by the Registrar.

Section 35/1³⁴ For the purpose of protecting the insured, an adjuster shall inspect and adjust losses of any type, as well as determine the extent of the insured sum, in accordance with the rules, regulations, and conditions prescribed by the Commission.

Section 35/2³⁵ An adjuster shall be licensed by the Registrar and enrolled by the Office of Insurance Commission.

Applications for and the granting of licenses, as well as enrollments, shall be in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 35/3³⁶ An applicant for a license as an adjuster must satisfactorily pass a course organized by the Commission or an institute accredited by the Commission and shall not have any of the following qualifications:

- (1) be a person who is non compos mentis or mentally incapacitated;
- (2) have been imprisoned by a final court judgment for an offense relating to property or an offense under section 90/1 or section 90/2, unless he was released at least five (5) years prior to the application date;
- (3) be an employee or staff member of, or consultant to, the Company;
- (4) have a license that is currently suspended; or
- (5) have had his license revoked within five (5) years prior to the date of application.

Section 35/4³⁷ An adjuster license shall be valid for two (2) years, from the date of issuance. A licensee wishing to renew his license must file an application for renewal two (2) months prior to the expiration of the license. The applicant shall obtain a certificate from the Commission, evidencing that he has passed additional training

organized by the Commission or by an institute accredited by the Commission.

Applications for and the granting of licenses shall be in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 35/5³⁸ In an event of loss occurs of the type and to the extent of the insured sum prescribed by the Commission under section 35/1, the parties to the insurance policy shall appoint an adjuster enrolled with the Commission to inspect and adjust the loss to be recovered by the Company.

³³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

³⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

³⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

³⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

³⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

³⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

An adjuster, when inspecting and adjusting the loss, shall prepare one copy of a report or relevant documents, under the forms and particulars prescribed by the Registrar, for submission to each party to the insurance policy.

Section 35/6³⁹ An adjuster must comply with the professional ethics proclaimed by the Commission in the Royal Gazette.

Section 35/7⁴⁰ The Registrar may suspend the use of an adjuster's license when it appears to the Registrar that the adjuster has violated or fails to comply with the notifications of the Registrar or the Commission, under section 35/5 or section 35/6.

The Registrar may suspend a license under the foregoing paragraph as it deems fit, but for not more than one (1) year per event of suspension.

Section 35/8⁴¹ The Registrar shall have the power to revoke an adjuster's license when it appears to the Registrar that the adjuster:

- (1) lacks the qualifications or possesses prohibited characteristics under section 35/3; or
- (2) has had his license suspended and repeats any of the actions under section 35/7.

Section 35/9⁴² A licensee whose license is suspended or revoked under section 35/7 or section 35/8 shall have the right to appeal to the Commission within thirty (30)

days of receipt of the order to such effect. The Commission shall completely review an appeal within sixty (60) days of receipt thereof.

The decision of the Commission shall be conclusive.

Section 36 No Company shall delay, without sufficient reason, payment of any sum or a return of premiums paid to an insured or a beneficiary under an insurance policy, or make a payment or return in bad faith.

Any act or performance of the Company that is deemed to contravene the provision of the first paragraph shall be in accordance with rules, procedures, and period prescribed by the Minister.

Section 36/1⁴³ If any grievance relating to insurance, payment of claims, monetary compensation, or other benefits under an insurance policy is made, the Registrar may have such grievance reviewed and arrange for settlement.

Section 37⁴⁴ Subject to the provisions of this Act, the Commission shall have the power to prescribe rules, procedures, and conditions for the Company to observe, in regard to the following:

- (1) collection of premiums;
- (2) appraisal of the value of assets and liabilities of the Company;

³⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

- (3) reinsurance;
- (4) classification of categories of expenses;
- (5) allocation of reserves for each type of risk;
- (6) methods for issuing insurance policies and offering them for sale;
- (7) rates of wages or commission for Non-Life Insurance Agents or Broker, for each type of insurance;
- (8) forms, size, lettering, language, and texts of documents, showing receipts of money by the Company;
- (9) types and maximum rates of insurance expenses;
- (10) receipts of money, payments, audits and internal controls;
- (11) compensation under Non-Life Insurance contracts; and
- (12) minimum standards for the Company's risk management system.

Section 38 Companies shall open their offices for public business on the dates and at the times prescribed by the Registrar. However, a Company may keep its office open for longer than prescribed.

Section 39 For the purpose of supervision of fire insurance, when a Company has concluded any contract of fire insurance, the Company shall submit the particulars relating to the taking of the fire insurance, under the forms prescribed by the Registrar, to the Competent Officer within seven (7) days from the date of entering into said fire insurance contract.

The provisions of the first paragraph shall not be applied to reinsurance.

Section 40 Upon receipt of the report under section 39, the Competent Officer, at his discretion, may check the value of the insured property. For this purpose, the Competent Officer shall have the power to enter upon the premises where the property is located, between the hours of sunrise and sunset, as may be found proper, and shall have the power to inspect and require the submission of any documents and other evidence, for the purpose of ascertaining the true value of the property.

Insureds and other concerned persons shall give reasonable cooperation to the Competent Officer for inspections under the first paragraph.

If failure to give cooperation by the insured or concerned persons under the second paragraph causes the inspection to be impossible, the Competent Officer shall report such, in writing, to the Registrar. In such case, at his discretion, the Registrar may give an order terminating such fire insurance contract. The order of the Registrar shall specify the date of termination of the fire insurance contract, which shall not be less than three (3) days from the date of the order of the Registrar, and the Registrar has so ordered, the fire insurance contract shall terminate, on the date specified by the Registrar.

If a fire insurance contract is terminated under the third paragraph, as far as the contractual relationship between the Company and the insured is concerned, such termination shall be deemed the result of a notice of termination from the insured.

Section 41 In the case where it appears to the Competent Officer during the inspection under section 39 that the insured property has a value less than the insured sum, to an extent that the Competent Officer finds unreasonable, the Competent Officer shall report the results of such inspection to the Registrar within seven (7) days from the date on which the results of the inspection become known. In such a case, the Registrar, at his discretion, shall have the power to order the Company and

insured, in writing, within fifteen (15) days from the date of receipt of the report of the Competent Officer, to reduce the insured sum by such sum as the Registrar finds reasonable, but not less than the value of the insured property, as appears in the Competent Officer's inspection report.

Section 42 When the order of the Registrar under section 41 has been issued:

(1) within three (3) days from the date of the order of the Registrar, the insured shall have the right to terminate the fire insurance contract. After termination, the Company shall return premiums to the insured, in proportion to the period during which insurance was in place and

(2) if the insured does not terminate the fire insurance contract under (1), the sum of such insurance shall be in accordance with amount to which the Registrar ordered such insured sum reduced effective on the date of the issuance of such order. The Company shall fix premiums for the remaining term of the insurance based on the reduced sum and shall return any excessive premiums to the insured within fifteen (15) days of the date of the Registrar's order.

Section 43 If damage occurs to insured property and the responsible inquiry officer under the Criminal Procedure Code has reasonable cause to suspect that the damage was caused by an act of bad faith by the insured or beneficiary under the insurance policy, such inquiry officer shall notify the Registrar of the reason for suspicion. In such a case, the Registrar shall have the power to order that the Company stop the payment of compensation under the insurance policy, in respect to the suspect incident. When there is no longer reasonable cause for suspicion, the Registrar shall withdraw the order and shall notify the Company and insured or beneficiary under the insurance policy of the withdrawal.

If the Registrar issues an order to stop the payment of a claim under the first paragraph, the right to demand the payment of claim shall be deemed suspended from the date of the issuance of the order by the Registrar, until the date of its withdrawal.

Section 44 Companies shall keep registers and account books concerning their business, in accordance with the forms and particulars prescribed by the Registrar.

Particulars of events concerning business, which are required to be entered in the registers and account books of the Company, shall be so entered by the Company not later than seven (7) days from the occurrence of the event.

Section 45 ⁴⁵Companies shall keep its registers, books and accounts, under section 44, at its office for at least five (5) years from the date of the last entry recorded in the same, or from the date on which the Company is released from liability under the last record for which it is liable, whichever date comes later.

Section 46 An interested person may inspect the registers under section 44, only in regard to particulars with which he is concerned or may request that the Company provide a certified copy of said particulars, provided that he pays the fee prescribed by the Registrar.

⁴⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 47⁴⁶ Companies shall prepare and submit to the Commission the following financial statements and reports on operating results:

- (1) audited quarterly financial statements;
- (2) audited financial statements for the last calendar year, with opinions as expressed by the auditor; and
- (3) annual reports, showing the operating performance of the Company.

The preparation and submission of the financial statements and reports under the foregoing paragraph shall be in accordance with the rules, procedures, conditions, and periods prescribed by the Commission. The auditor shall be a certified auditor under the law on accounting professions.

A Company which is a branch office of a foreign non-life insurance company shall fulfill the obligations stated in paragraphs one and two, and shall submit an annual

report of the foreign non-life insurance company of which it is a branch within five (5) months from the end of the accounting year of the foreign non-life insurance company.

Section 48 If it appears that an annual report submitted by a Company under first paragraph of section 47 is incorrect or incomplete, the Registrar shall have the power to order the Company to rectify or complete the report, within the period prescribed by the Registrar.

If the Company fails to comply as ordered in the first paragraph, the Company shall be deemed to have not submitted an annual report under section 47.

Section 49⁴⁷ The Commission shall have the power to order a Company to submit any documents or reports on the operation of its Non-Life Insurance Business. The Commission may also order the Company to explain or clarify the contents of said reports or documents.

Section 50⁴⁸ Companies shall publish their balance sheets and statements of income, in the form prescribed by the commission, within fifteen (15) days from date of submission of the financial statements under section 47(2), in at least one mass-circulation daily newspaper, for no less than three (3) days. Each Company shall also post such notice in a conspicuous place at the Head Office and branch office of the Company, for at least one (1) month.

Section 50/1⁴⁹ For the purpose of giving public access to information regarding the financial standing and operating results of a Company, the Registrar shall have the power to order the Company to divulge such information, in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 50/2⁵⁰ Companies shall submit to the Commission annual reports of the calculation of liabilities under insurance policies, certified by an actuary, under the forms, rules, procedures, and conditions, and period prescribed by the Commission.

⁴⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁴⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁵⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 51 The Registrar and Competent Officer shall have the power to examine the business activities and financial condition of the Company and, for the purpose of examination, the Registrar and Competent Officer shall have the power:

(1) to enter into the office of the Company, during working hours, to obtain information and in so doing they shall have the power to call for documents or other evidence from directors, managers, consultants, officers, or employees of the Company and to question said persons;

(2) to enter into the business place of the Company or any premises where it is suspected that account books, documents, seals, or any other documents concerning the Company's business, property, or debts are kept, during working hours or between sunrise and sunset, to inspect or evaluate the property of the Company;

(3) to order the Company or persons concerned with the Company's business to deliver documents or other evidence; and

(4) to summon the persons mentioned in (1) or (3) to give statements or to order said persons to submit statements of facts, as required.

The persons concerned shall provide convenience to the Registrar and Competent Officer in their performance under the first paragraph.

Section 52⁵¹ Where any event under section 27/7 occurs, or where evidence suggests to the Registrar that a Company is in a condition, or operates its business in such a way as may cause damage to the insured or the public, the Registrar, with the consent of the Commission, shall have the power to order the Company to improve its condition or operations, within the time specified by the Registrar. In such case, the Registrar may order the Company to increase or reduce its capital, in accordance with section 27, paragraph two. The Registrar may also order that the Company temporarily discontinue accepting insurance.

If any Company fails to increase or reduce its capital within the period of time prescribed by the Registrar under the foregoing paragraph, the Registrar's order shall be deemed to be a resolution of the Company's shareholders meeting, as of the expiry of the prescribed period.

Where there is an urgent need for a Company to increase or reduce its capital

in order to support its condition and carry on its business, the Registrar, with the consent of the Commission, may order the Company to immediately increase or reduce its capital. Such an order is deemed to be a resolution of the shareholders meeting.

The provisions of section 136, paragraph two (2), section 139, and section 141 of the Public Limited Companies Act B. E. 2535 (1992) shall not apply to an increase or reduction of capital under paragraphs two and three herein.

Section 53 Where there is evidence appearing to the Registrar that the condition or operation of any Company is such that damage may be caused to the insured and the public, or where the directors managers, or persons responsible for the operation of any Company fail to comply with the order of the Registrar under section 52, the Registrar shall have the power to order such Company to remove its directors, managers, or persons responsible for its operation, who have caused such conditions or operation of the Company.

⁵¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

If the Registrar orders the removal of any person under the first paragraph, the Company shall, with the Registrar's consent, appoint other persons to replace the persons so removed, within one (1) month from the date of removal.

Where a Company fails to remove such persons under the first paragraph, or so removes but fails to appoint other persons in their place under the second paragraph, the Registrar, with the approval of the Minister, shall have the power to issue an order of removal for such persons or to appoint any person(s) to replace the person so removed, for a period not longer than three (3) years. The provision of section 34(4) shall not apply hereto.

The person so appointed shall be entitled to remuneration, to be paid from the assets of the Company, as prescribed by the Minister. During the period that the person so appointed holds office, the shareholders of the Company shall not pass a resolution to revoke or change the order of the Registrar.

The person so appointed shall be entitled to remuneration, to be paid from the assets of the Company, as prescribed by the Minister. During the period that the person so appointed holds office, the shareholders of the Company shall not pass a resolution to revoke or change the order of the Registrar.

The person removed by the order of the Registrar shall no longer be involved in or manage, directly or indirectly, any affairs of the Company.

The order of removal or appointment issued by the Registrar under this section shall be deemed to be a resolution of the shareholders meeting.

Section 54 In the event a Company has been ordered to discontinue the Non-Life Insurance Business temporarily under section 52, no directors, officers, or employees of such Company shall order the payment of any sums by the Company, or the removal or disposal of any property of the Company, except for the payment of normal salaries or wages to officers or employees of the Company. Any other payments made shall be as prescribed by the Registrar.

A Company which has been ordered by the Registrar to discontinue the Non-Life Insurance Business temporarily under section 52 must report, in writing, to the Registrar regarding the Company's creditors and debtors, within the period prescribed by the Registrar.

Section 55 In the performance of their duty under this Act, the Registrar and the Competent Officer shall produce their identification cards, in accordance with the forms prescribed by Ministerial Regulations, upon request by the person concerned.

Section 56 Any interested persons may, upon submitting to the Registrar an application in the form prescribed, inspect the register book and related documents kept by the Registrar and request copies certified or uncertified by the Registrar.

Section 57⁵² Any Company wishing to discontinue its Non-Life Insurance Business must file an application with the Commission for permission to do so.

To protect the interests of insureds, beneficiaries, or interested persons, the Commission shall have the power to determine at least the following rules, procedures, conditions, and periods, to be fulfilled by the Company before permission for business discontinuation is granted:

⁵² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(1) method for managing or transferring the obligations under insurance policies that remain binding;

(2) method for notifying insureds, beneficiaries, and interested persons to exercise their rights under law;

(3) transfer or request for receipt of the reserve under section 23(1), placed by the Company with the Registrar under section 24;

(4) management of the portion of assets and liabilities in connection with the Non-Life Insurance Business and the business permitted to be carried out under section 28;

(5) period for execution of the transactions under (1),(2),(3), and (4).

If the Commission permits the Company to discontinue its Non-Life Insurance Business and the Company intends to dissolve, the dissolution shall take effect as from the receipt of permission for discontinuation. The Company shall then proceed to go into liquidation. If a Company does not intend to dissolve, the Company shall have its Memorandum of Association amended, changing its name and objectives, so that they will not be related to the Non-Life Insurance Business.

Liquidation and amendments to the Memorandum of Association shall be carried out in accordance with the law on public limited companies.

If a Company that is a branch office of a foreign non-life company discontinues its business, such Company shall go into liquidation, wherein the provisions of sections 60, 61, and 62 shall apply, *mutatis mutandis*.

Section 57/1⁵³ A Company obtaining permission to discontinue its Non-Life Insurance Business shall surrender its Non-Life Insurance Business license to the Registrar, together with an application for the refund of the security deposit placed by the Copy under section 19, subject to section 26 , paragraphs two and three.

Section 58 Any proceeds to which an insured or beneficiary is due under an insurance policy, if unclaimed against the Company until the lapse of the period of prescription, shall be sent to the Fund by the Company within one (1) month from the end of such period of prescription.

Chapter III

Revocation of Licenses to Engage in the Non-Life Insurance Business

Section 59 The Minister shall have the power to revoke a license to engage in the Non-Life Insurance Business, where there is evidence that suggests to the Minister that a Company:

(1) has liabilities in excess of its assets or has such an unstable financial condition that damage may be caused to insureds or the public;

(2) violates the provisions of this Act or the Ministerial Regulations, conditions as prescribed by the Minister, or notifications issued or prescribed in accordance with this Act, or fails to comply with an order of the Minister, Registrar, or Competent Officer, given in accordance with this Act, provided that such violation or failure may cause damage to insureds or the public;

(3) has ceased engaging in the Non-Life Insurance Business, for no reason;

⁵³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(4) has delayed payment for the claim or delayed a return of premiums to be paid or returned, without any reason, or paid a claim or returned a premium in bad faith;

(5) if continuing to engage in the Non-Life Insurance Business, may cause damage to insureds or the public.

Section 60 Where a Company's license to engage in the Non-Life Insurance Business has been revoked, such Company shall be dissolved, as from the date of revocation of the license, and shall be liquidated. The Minister shall appoint a liquidator thereof. The power and duty of the general meeting shall be the power and duty of the Registrar.

Section 61 For the purpose of liquidation, a Company which is a branch office of foreign non-life insurance company shall be limited company and for such purpose, the Registrar and the Office of the Commission shall be the Partnership and Company Registrar or Partnership and Company Registration Office, as the case may be, under the Civil and Commercial Code, and any reports to be submitted to the general meeting of shareholders shall be submitted to the Registrar, provided that it shall not prejudice and claim against said foreign insurance company.

Section 62 A liquidator, appointed by the Minister under section 60, may receive remuneration as prescribed by the Minister and such remuneration shall be paid from the assets of the Company.

Chapter IV

Non-Life Insurance Agents and Brokers

Section 63⁵⁴ No person shall act as a Non-Life Insurance Agent or Broker unless he obtains a license from the Registrar.

The application for a license shall be in the form prescribed by the Registrar.

A Non-Life Insurance Agent's license must indicate the Company for which the Non-Life Insurance Agent works.

Section 64 An applicant for a Non-Life Insurance Agent's license shall have the following qualifications:

- (1) be sui juris;
- (2) be domiciled in Thailand;
- (3) not be adjudged incompetent or quasi incompetent;
- (4) never have been sentenced to imprisonment upon final judgment, for dishonest offenses relating to property, unless the sentence was completed at least five (5) years prior to the date of application;
- (5)⁵⁵ not be bankrupt;
- (6) not be a Non-Life Insurance Broker;

⁵⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁵⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(7)⁵⁶ not have had a Non-Life Insurance Agent's or Broker's license revoked within the five (5) years prior to the date of application for a license;

(8) have studied the Non-Life Insurance Business at an institute prescribed by the Registrar, or have passed an examination concerning non-life insurance knowledge, in accordance with the subjects and procedures prescribed by the Registrar in the notification.

Section 65⁵⁷ A person qualified under section 64, who wishes to be a Non-Life Insurance Agent of any Company, shall file an application with the Registrar for a license, together with a letter from the Company, expressing its intention to have such

person as its Non-Life Insurance Agent, as well as certificate confirming that such person has satisfactorily passes training organized by the Commission, or training under a program and procedures prescribed by the Commission.

Applications for and the issuance of licenses shall be in accordance with the rules, procedures, and conditions prescribed by the Commission.

A Non-Life Insurance Agent for one Company may apply for a license to be a Non-Life Insurance Agent for another Company. Such application shall be accompanied by a letter of consent from the Company for which the applicant is already a Non-Life Insurance Agent, together with a letter from the new Company, stating its intention. The letter shall also mention that the new Company knows that the applicant is an Agent for another Company. After issuing the license, the Commissioner shall notify the companies concerned.

The letter of intention under the first paragraph and the letter of consent under the third paragraph shall be in the forms prescribed by the Registrar.

Section 65/1⁵⁸ A Company shall be jointly liable with its Non-Life Insurance Agent for damages the Agent causes when acting as a Non-Life Insurance Agent for the Company.

Section 65/2⁵⁹ When performing the duties of or acting as a Non-Life Insurance Agent, a Non-Life Insurance Agent must not give any false information or conceal any fact which ought to be clarified. A Non-Life Insurance Agent must comply with the rules, procedures, and conditions prescribed by the Commission.

A Non-Life Insurance Agent's failure to comply with the foregoing paragraph shall not impair the rights of insureds, beneficiaries, or related persons.

Section 66⁶⁰ A Non-Life Insurance Agent shall be entitled to receive an insurance premium on behalf of the Company.

A Non-Life Insurance Agent may enter into a Non-Life Insurance contract, in the name of the Company, upon being authorized in writing by the Company to do so.

A Non-Life Insurance Broker or an employee of the Company charged with the duty of receiving payment may receive insurance premiums on behalf of the Company upon being authorized in writing by the Company to do so.

⁵⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁵⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁵⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁵⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

The written authorization of the Company under paragraphs two and three above shall be in the form prescribed by the Registrar.

No right of an insured, a beneficiary, or a related person shall be impaired if the Powers of Attorney of the Company are not in the form prescribed by the Registrar.

Section 66/1⁶¹ A Non-Life Insurance Agent must produce his license each time he solicits a person to enter into a Non-Life Insurance contract, or when he receives insurance premiums on behalf of the Company.

A Non-Life Insurance Agent must issue a document evidencing the Company's receipt of payment, upon the receipt of premiums on behalf of the Company.

Section 66/2⁶² A Non-Life Insurance Broker or an employee of the Company must produce the Company's written authorization upon each receipt of premiums on behalf of the company.

A Non-Life Insurance Broker or an employee of the Company must issue a document evidencing the Company's receipt of payment upon each receipt of premiums on behalf of the Company.

The provisions of the foregoing shall not apply to an employee of the Company charged with duty of receiving premiums at the office of the Company.

Section 67 A natural person who applies for a Non-Life Insurance Broker's license cannot be a Non-Life Insurance Agent or a director, a manager, officer, or employee of any Company,

A juristic person may apply for a Non-Life Insurance Broker's license if:

- (1) such juristic person has its Head Office in Thailand;
- (2) such business is within the scope of business of such juristic person;
- (3) such juristic person has officers or employees licensed to be Non-Life Insurance Brokers under this Act to act on its behalf; and

(4)⁶³ such juristic person has never had a Non-Life Insurance Broker's license revoked, within the five (5) years prior to the date of application.

Section 68 A natural person or juristic person who is qualified under section 67 and wishes to be a Non-Life Insurance Broker shall submit an application for a license to the Registrar.

The issuance of a Non-Life Insurance Broker's license to a juristic person shall be in accordance with the rules and conditions prescribed by the Registrar.

The application for license and the license under this section shall be in the forms prescribed by the Registrar.

Section 69 A Non-Life Insurance Broker shall have an office as indicated on the application for a license to be a Non-Life Insurance Broker. If such office is relocated the Non-Life Insurance Broker shall notify the Registrar in writing of such change within five (5) days from the date of change.

⁶¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 70 A Non-Life Insurance Broker shall prepare the registers, account books, and documents concerning the business of a Non-Life Insurance Broker, in the form and particulars prescribed by the Registrar.

A Non-Life Insurance Broker shall record the events which are required to be recorded in the registers, account books, and documents under the first paragraph, within seven (7) days from the occurrence of the event.

Section 71 A Non-Life Insurance Broker shall keep the registers, account books, and documents concerning business of a Non-Life Insurance Broker, including attachments thereto, at his office for of not less than five (5) years from the date the last record was entered in the registers or account books.

Section 72⁶⁴ Non-Life Insurance Agent or Broker licenses will be valid for one (1) year from the date of issuance. Any licensee wishing to renew a license must file an application for renewal to the Registrar no later than two (2) months prior to the expiration of the license. The applicant must obtain a certificate from the Commission, evidencing that he has passed additional training held by the Commission or a program and procedures prescribed by the Commission.

If a licensee under the foregoing paragraph has renewed his license two consecutive times and applies for a third renewal, the newly issued license shall be valid for a period of five (5) years.

Applications for and the issue of licenses shall be in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 73 Upon any Non-Life Insurance Broker being appointed as a director, manager, officer, or employee of any Company, such Non-Life Insurance Broker's license shall be terminated.

Section 74 [It is presumed that if a Company delivers an insurance policy to an insured, or to the beneficiary under such policy, or has given an insurance policy to a Non-Life Insurance Broker for delivery to the insured or beneficiary, the premiums for such policy have been paid by the insured.]

Section 75 For the purpose of inspecting the performance of a Non-Life Insurance Broker, the Registrar and the Competent Officer shall have the power to order a Non-Life Insurance Broker to give statements, or submit registers, account books, or any documents, or reports in the form and particulars prescribed by the Registrar, for inspection, or to enter into such person's office between sunrise and sunset to perform such inspection. In this event, a Non-Life Insurance Broker shall cooperate with the Registrar.

Section 76⁶⁵ The Registrar shall have the power to revoke a Non-Life Insurance Agent license or Non-Life Insurance Broker license, if it appears to the Registrar that such Agent or Broker.

(1) has committed an act that violates the provisions of this Act;

(2) has violated or failed to comply with the rules, procedures, and conditions prescribed by the Registrar or the Commission;

⁶⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(3) lacks the qualifications under section 64 or section 67, as the case may be; or

(4) operates a business which causes, or may cause, damage to insureds, beneficiaries, or the public.

Upon the revocation of a license under the first paragraph, the Registrar shall notify the person whose license is revoked, to that effect.

Section 77 A person whose license is revoked under section 76 shall have the right to appeal to the Minister within fifteen (15) days from the date on which the order became known. The Minister's decision is final.

Section 78 No person shall induce, advise, or in any manner act so as to cause any person to enter into a Non-Life Insurance contract with a non-life insurer abroad, or with any person except a person licensed to engage in the Non-Life Insurance Business under this Act.

The provisions of the first paragraph shall not apply to a Non-Life Insurance Broker who is licensed by the Registrar, who induces, advises, or acts in any manner to cause any person licensed to engage in the Non-Life Insurance Business under this Act to enter into a reinsurance contract with a non-life insurer abroad.

Chapter IV/I⁶⁶ **Actuaries**

Section 78/1⁶⁷ A report on the calculation of insurance policy liabilities of the Company must be certified by an actuary.

Section 78/2⁶⁸ An actuary must obtain a license from the Registrar.

Applications and the issuance of licenses shall be in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 78/3⁶⁹ A person applying to be an actuary shall have the following qualifications:

(1) have graduated in actuarial sciences from an educational institute certified by the Civil Service Commission, in a programs or courses prescribed in the notification of the Registrar, and have conducted actuarial or statistical work in relation to insurance, as prescribed by the Registrar, for no less than five (5) years; or

(2) be a fellow of the Actuary Association, as prescribed by the Registrar.

The notification of the Registrar under paragraph one shall be proclaimed in the Royal Gazette.

Section 78/4⁷⁰ An applicant shall not meet any of the following disqualifications:

⁶⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁶⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(1) was convicted to imprisonment by a final court judgment for an offense relating to property, or an offense under section 108/1 or section 108/2, unless was released no less than five (5) years prior to the date of application;

(2) be a person who is *non compos mentis* or mentally incapacitated, incompetent, or quasi-incompetent;

(3) be bankrupt;

(4) had his license suspended; or

(5) had his license revoked within the five (5) years prior to the date of application.

Section 78/5⁷¹ An actuary license shall be valid for two (2) years from the date of issuance.

A licensee shall submit an application for renewal no later than two (2) months prior to the date of expiration. Once the applicant has filed an application, it shall be deemed that the applicant is a licensee, until the receipt of a rejection order. Applications for the renewal and the granting of renewed licenses shall be in accordance with the rules, procedures, and conditions prescribed by the Commission.

Section 78/6⁷² An actuary shall prepare a report or paper, in relation to the calculation of Insurance policy liabilities, or other mathematical analysis, in accordance with the form and particulars prescribed by the Registrar. The Registrar may request an explanation or clarification of the content of such report or document.

Section 78/7⁷³ An actuary shall comply with the code of professional ethics, as prescribed by the Commission in the Royal Gazette.

Section 78/8⁷⁴ The Registrar shall have the power to suspend an actuary license if it appears to the Registrar that the actuary:

(1) fails to comply with sections 78/6 or 78/7; or

(2) certifies a report on the calculation of insurance policy liabilities without due care.

The period of suspension under the foregoing paragraph shall be as the Registrar deems appropriate, but not more than one (1) year for each suspension.

Section 78/9⁷⁵ The Registrar shall have the power to revoke an actuary license if it appears to the Registrar that the actuary:

(1) lacks the qualifications under section 78/3 or possesses disqualifications under section 78/4; or

(2) is an actuary whose license was suspended and has repeated any of the actions under section 78/8.

Section 78/10⁷⁶ An actuary whose license is suspended or revoked under section 78/8 or section 78/9 shall have the right to appeal to the Commission within

⁷¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

thirty (30) days from receipt of the order to such effect. The Commission shall decide on the appeal within sixty (60) days from the receipt of the appeal.

Decisions of the Commission are final.

Chapter V⁷⁷

Non-Life Insurance Funds

Section 79 A Fund to be known as the “Non-Life Insurance Fund” shall be established as a juristic person, with the purpose of protecting creditors who are entitled to the receipt of repayment of debts arising from the taking of insurance, in the event that a Company becomes bankrupt or has its Non-Life Insurance Business license revoked, and for the development of the Non-Life Insurance Business to ensure its stability and security.

The Fund shall not be a government organization or state enterprise under the law on budgetary procedures.

Section 80 The Fund shall consist of:

- (1) money and assets transferred from the Fund for the Development of the Non-Life Insurance Business of the Office of the Insurance Commission;
- (2) money received under section 58;
- (3) money received under section 80/3;
- (4) surcharges received under section 80/4;
- (5) fines under section 111, less rewards and relevant expenses;
- (6) money or other assets given by other persons;
- (7) interest or income derived from money or assets of the Fund; and
- (8) government subsidies.

Section 80/1 The Fund shall have the power to carry out any activities within the scope of its purposes under section 79. This shall include the power to:

- (1) own, have possession rights, and hold any proprietary rights;
- (2) create rights or conduct any juristic act in the Kingdom and elsewhere;
- (3) lend money to a Company for its operations under the purpose of the Fund;
- (4) invest to gain interest from the assets of the Fund; and
- (5) do other acts or things in connection with, or in relation to, arrangements to effect the purposes of the Fund.

Section 80/2 The Fund’s money shall be expended for the following activities:

- (1) the provision of assistance to creditors who are entitled to receive repayment of debts incurred in taking insurance, in the event that a Company becomes bankrupt or has its Non-Life Insurance Business license revoked;
- (2) the development of the Non-Life Insurance Business to ensure its stability and security, provided that the sum shall not exceed the amount received under section 80(1) and (2); and
- (3) managing the Fund, and paying expenses in relation to or in connection with Fund management, provided that this shall not exceed the rate determined by the Fund Management Committee.

⁷⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 80/3 A Company shall make contributions to the Fund at the rate prescribed by the Commission, with the consent from the Minister. The rate shall not exceed 0.5% of the insurance premiums received by the Company during the six (6) months prior to making of contributions to the Fund.

The rules, procedures, conditions, and periods for making contributions to the Fund shall be as prescribed by the Commission.

If the Fund has sufficient money and assets to operate in accordance with its purpose, the Commission, with the consent from the Minister, may announce a reduction of rates, or discontinuation of contributions to the Fund.

Section 80/4 A Company failing to make full and correct contributions to the Fund under section 58 or section 80/3 shall pay a surcharge, at the rate of 1.5% per month of such outstanding contribution. Fractions of a month is counted as one month.

If the Registrar finds that the Company fails to make contribution to the Fund, as set out in section 58 or section 80/3, due to an event of *force majeure* and the Company has made such contribution within seven (7) days from the due date, the surcharge under the foregoing paragraph shall be reduced to 1.0%.

Throughout the period that the Company fails to make contributions to the Fund, or fails to pay the surcharge under paragraph one, the Registrar shall order the Company not to expand its business, until the contributions and surcharge are fully paid and the order prohibiting business expansion is lifted.

For the purpose of this section, when determining whether an event is an expansion of business under the third paragraph, the provisions in section 27/6, paragraph two, and the penalty in the case of a violation of section 27/6, paragraph one, as provided for under section 89/1, shall apply, *mutatis mutandis*.

Section 80/5 If a Company is bankrupt or has its license revoked, and the amount received under Section 26 is insufficient, such creditors entitled to receive repayment of debts incurred in taking insurance shall have the right to receive repayment from the Fund.

The sum that each creditor will receive from the Fund, when combined with the repayment under section 26, shall not exceed the amount claimed against the insurance. If the amount claimed against all insurance contracts is more than one million baht, the creditor is entitled to receive repayment of only one million baht.

The rules, procedures, and conditions for payment, as well as the claimed amount incurred with regard to taking insurance under the second paragraph, shall be as prescribed by the Commission.

Section 80/6 In the interest of fairness, the Commission, with the consent from the Minister, may determine that the amount to be paid to the creditor who is entitled to the repayment be greater than the amount set out in section 80/5, paragraph two, for all or certain types of Non-Life Insurance contracts.

Section 80/7 The Fund shall succeed the right of a creditor who is entitled to receive the repayment of a debt incurred with respect to taking insurance, to the equivalent amount that the Fund has paid to such creditor. The Fund shall be entitled to receive repayment against such sum from an official receiver or liquidator, as the case may be, with a preferential right over all ordinary creditors of the Company.

Section 81 A committee known as the “Fund Management Committee” shall be

established. The Fund Management Committee shall consist of the Permanent Secretary of the Ministry of Finance as chairman, the Secretary General of the Office of Insurance Commission as deputy chairman, a representative of the Bank of Thailand, two representatives of the Non-Life Insurance Association, and up to four qualified persons, appointed by the Minister, as members.

The Fund Manager shall be the secretary of the Fund Management Committee.

Section 81/1 The term of qualified members appointed by the Minister shall be three (3) years. In the event that a qualified member appointed by the Minister retires from position before the expiration of his term, or in the event the Minister appoints a new qualified member while the term of the existing member has not yet expired, the new member shall retain the position only for the remaining term of that person’s predecessor and other existing members.

Upon the expiration of the term set out in the first paragraph, if no appointment is made, a member who retires due to the end of term shall retain the position until a new member is appointed.

A retired member shall be eligible for re-election, but cannot retain the position longer than two consecutive terms.

Section 81/2 Apart from retirement due to the end of a term under section 81/1, a qualified member appointed by the Minister shall be removed from his office upon:

- (1) death;
- (2) resignation;
- (3) bankruptcy;
- (4) removal by the Minister due to remissness, misconduct, or lack of ability;
- (5) incompetence or quasi-incompetence;
- (6) imprisonment by final judgment; or
- (7) becoming a political official or holding a political position.

Section 81/3 The Fund Management Committee shall have the power and duty to determine the following:

(1) policies, rules, regulations, and notifications, in relation to the management of the Fund;

(2) regulations regarding receipts, payments, and maintaining and seeking interest for the Fund;

(3) regulations concerning applications for, and granting approval of, paying debts to creditors who are entitled to repayment of debts incurred in taking insurance;

(4) rates and regulations pertaining to the use of the money of the Fund in developing the Non-Life Insurance Business, for its stability and security;

(5) rules, procedures, and conditions for lending money to a Company under section 80/1(3);

(6) rates of expenses for managing the Fund under section 80/2(3);

(7) regulations concerning operation performed by the Fund Manager; and

(8) other necessary or relevant acts for achieving the purposes of the Fund.

Determinations under (2), (3), (4), (5), and (6) shall be subject to the consent from the Commission.

For the performance of its duties under the first paragraph, the Fund Management Committee may ask the Registrar, the Company, or any person to submit documents or evidence for consideration.

Section 81/4 A quorum for a meeting of the Fund Management Committee shall consist of no less than one-half of all its members.

If the chairman is not present at the meeting, or is unable to perform his duty, the deputy chairman shall serve as chairman of the meeting. If the chairman or the deputy chairman are not present, or are unable to perform their duties, the members present shall elect among themselves a new chairman of the meeting.

Resolutions of the meeting shall require a simple majority of votes. Each member shall be entitled to one (1) vote. In the event of an equality of votes, the chairman of the meeting shall be entitled to a casting vote.

Section 81/5 To perform its duties under this Act, the Fund Management Committee shall have the power to appoint a sub-committee to review or carry out any task as designated by the Fund Management Committee.

The provisions of section 81/4 shall be applied, *mutatis mutandis*, to a meeting of the subcommittee.

Section 81/6 The chairman, members of the Fund Management Committee, and members of the sub-committee shall be entitled to an allowance for meeting attendance and other benefits, as determined by the Minister.

Section 82 The Fund Management Committee shall appoint a Fund Manager.

The Fund Manager's term, removal, probationary conditions, and conditions for performing duties in the capacity of manager shall be in accordance with an engagement contract determined by the Fund Management Committee. The engagement term shall not exceed four (4) years. Upon the expiration of the engagement contract, the Fund Management Committee may renew the contract, provided that the Fund Manager cannot retain his position for more than two consecutive terms.

The chairman shall be authorized to enter into a contract to engage a Manager, on behalf of the Fund.

The Fund Manager shall receive wages, remuneration, and other monies, as determined by the Fund Management Committee.

Section 82/1 A person appointed as a Fund Manager shall be:

- (1) a Thai national;
- (2) not more than 65 years of age; and
- (3) able to work full-time for the Fund.

Section 82/2 Other than the qualifications under section 82/1, the person appointed as the Fund Manager shall not have the following qualifications:

- (1) was convicted to imprisonment by a final court judgment for an offense relating to property;
- (2) be or have been declared bankrupt;
- (3) be an official, officer, or employee of any ministry, bureau, department, local

administration, or state enterprise under the law on budgetary procedures, or other governmental agencies;

(4) be a political official, or hold a political office;

(5) hold any other position in a juristic person, carrying out a business that competes with the Fund;

(6) have direct or indirect interest in the contracts entered into with the Fund, or in the activities carried out for the Fund, except for a person appointed by the Fund Management Committee to be a director of a company of which shares are held by the Fund.

Section 82/3 With the exception of retirement due to the expiration of the engagement contract, the Fund Manager shall be removed from his position upon:

(1) death;

(2) resignation;

(3) lack of qualifications or possession of disqualification under section 82/1 or section 82/2; or

(4) a resolution of the Fund Management Committee to terminate the engagement.

Section 82/4 The Fund Manager shall represent the Fund when dealing with third persons for the activities of the Fund. The Fund Manager may assign or delegate any person to perform his duties, in accordance with the regulations prescribed by the Fund Management Committee.

Any juristic acts or things carried out by the Fund Manager which violate the provisions of the foregoing paragraph shall not bind the Fund, unless the Fund Management Committee has ratified such acts or things.

Section 83 The Fund shall put-in-place and maintain its accounting system in accordance with internationally accepted accounting standards. In-house audits shall be conducted on a regular basis. Books and accounts shall keep particulars of:

(1) sums received and expended; and

(2) assets and liabilities showing actual and reasonable financial standing, together with content showing information of the relevant particular.

Section 83/1 The Office of the Auditor-General, or an auditor approved by the Office of the Auditor-General, shall be the auditor of the Fund.

Section 83/2 An auditor's report shall be presented to the Fund Management Committee within one hundred twenty (120) days from the end of each accounting year. A copy of the auditor's report shall also be submitted to the Commission and the Minister.

Chapter VI

Penalty Provisions

Section 84 Any Company that violates or fails to comply with section 7 paragraph five, section 8, section 9, section 10, section 16, section 20, or fails to comply with the conditions prescribed by the Minister under section 6 paragraph four,

of section 7 paragraph one, or the conditions prescribed by the Registrar under section 31(10) paragraph two, section 33 paragraph two, shall be liable to a fine from Baht 20,000 up to Baht 200,000, and to a further fine not exceeding Baht 10,000 per day, for every consecutive day during which such violation continues.

Section 85 Any Company that fails to inspect the register of shareholders, or fails to inform its shareholders which constitutes a failure to comply with Section 11 shall be liable to a fine from Baht 10,000 up to Baht 50,000, and a further fine not exceeding Baht 5,000 per day for every consecutive day during which such violation continues.

Section 86 Whoever violates the provisions of section 17 shall be liable to imprisonment for a term of two (2) years to five (5) years, or a fine from Baht 200,000 up to Baht 500,000, or both, and to a further fine not exceeding Baht 20,000 per day, for every consecutive day during which such violation continues.

Section 87⁷⁸ Whoever violates section 18 paragraph one, shall be liable to a fine from Baht 20,000 up to Baht 100,000, and to a further fine not exceeding Baht 5,000 per day, for every consecutive day during which such violation continues. A Non-Life Insurance Agent or Non-Life Insurance Broker who uses a name or the expression of a name of a business, in violation of the rules, procedures, and conditions prescribed by the Registrar under section 18 paragraph two, shall be liable to imprisonment for a term not exceeding one (1) year, or a fine of up to Baht 100,000, or both.

Section 88⁷⁹ A Company that violates or fails to comply with section 23, section 28, section 31, section 33, section 34, section 35, section 36, section 52, section 53, and section 55 paragraph one or fails to place reserves under section 24 or fails to comply with the provisions prescribed by the Commission under section 37 or fails to comply with an order of the Registrar under section 41 or section 43 shall be liable to a fine of up to Baht 500,000, and a daily fine of up to Baht 20,000, for every consecutive day during which such violation continues.

Section 89 Whoever violates th section 25 shall be liable to a fine not exceeding Baht 50,000.

Section 89/1⁸⁰ Any Company that violates section 27 paragraph five, section 27/1 paragraph one, section 27/3, section 27/4, or section 27/6 paragraph one, shall be liable to a fine of up to Baht 500,000.

Section 90⁸¹ Any Company that issues an insurance policy, relevant documents, or annexes thereto, in violation of section 29, or determines premium rates in violation of section 30, shall be liable to a fine of up to Baht 300,000.

Section 90/1⁸² Whoever violates the provisions of section 35/2 shall be liable to

⁷⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁷⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

imprisonment for a term not exceeding three (3) years or a fine of up to Baht 300,000, or both.

Section 90/2⁸³ Any adjuster who makes a false report of inspection and/or assessment shall be liable to imprisonment for a term not exceeding two (2) years, or a fine of up to Baht 200,000, or both. Section 109 paragraphs two and three shall apply, *mutatis mutandis*.

Section 91 Any Company that fails to comply with section 38 shall be liable to a fine up to Baht 50,000.

Section 92 Any Company which fails to comply with of section 45 shall be liable to a fine up to Baht 100,000.

Section 93⁸⁴ Any Company that violates or fails to comply with section 27/5 paragraph one, section 39, section 44, section 47, section 50, section 50/2, or section 54 paragraph two or fails to comply with an order of the Commission under section 49, or an order of the Registrar under section 50/1, shall be liable to a fine of up to Baht 100,000, and a daily fine of up to Baht 5,000, for every consecutive day during which such violation continues.

Section 94 Any Company which fails to allow persons having an interest to inspect its register books or fails to provide a certified copy of such register as such interested persons request under section 46 shall be liable to a fine not exceeding Baht 5,000.

Section 95 Any Company which will fully gives a false statement, or conceal a fact which must be notified while submitting particulars, or which must be notified under section 49, shall be liable to a fine from Baht 20,000 up to Baht 100,000.

Section 96 Whoever obstructs or fails to cooperate with the Registrar or the Competent Officer in the performance of his duties under section 51, or violates the Registrar's order or the Competent Officer's order under section 51, shall be liable to imprisonment for a term not exceeding one (1) month, or a fine not exceeding Baht 10,000, or both.

Section 97 Whoever violates section 53 paragraph five shall be liable to imprisonment for a term not exceeding three (3) years, or a fine not exceeding Baht 300,000, or both.

Section 98⁸⁵ A Company violating section 57, paragraph one, shall be liable to a fine of up to Baht 500,000.

Section 99 Whoever violates section 63 paragraph one shall be liable to imprisonment for a term not exceeding six (6) months, or a fine not exceeding Baht 50,000, or both.

⁸² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸⁵ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 100⁸⁶ Any Non-Life Insurance Agent who enters into a Non-Life Insurance contract without the written authorization of the Company under section 66 paragraph two, or any Non-Life Insurance Broker or Company employee who collects premiums without the written authorization of the Company under section 66 paragraph three, shall be liable to imprisonment for a term not exceeding two (2) years, or a fine of up to Baht 200,000, or both.

Section 100/1⁸⁷ Any Non-Life Insurance Agent who violates or fails to comply with section 30/1 paragraph two, or section 66/1, shall be liable to a fine of up to Baht 30,000.

If any act under paragraph one causes damage to the Company or the insured, such Agent shall be liable to imprisonment for a term not exceeding three (3) months, or a fine of up to Baht 30,000, or both.

Section 100/2⁸⁸ Any Non-Life Insurance Broker or the Company employee who fails to comply with section 66/2 shall be liable to a fine of up to Baht 30,000.

If any act under paragraph one causes damage to the Company or the insured, such Broker or employee shall be liable to imprisonment for at term not exceeding three (3) months, or a fine of up to Baht 30,000, or both.

Section 101 Any Non-Life Insurance Broker who does not have an office, as specified in the Non-Life Insurance Broker license application, or as informed of change of the office to the Registrar, under section 69, shall be liable to a fine from Baht 10,000 up to Baht 50,000.

Section 102 Any Non-Life Insurance Broker who moves his office without informing the Registrar under section 69 shall be liable to a fine not exceeding Baht 10,000.

Section 103 Any Non-Life Insurance Broker who fails to comply with section 70 paragraph one, or does not record events in his register and account books, under section 70 paragraph two, shall be liable to a fine not exceeding Baht 50,000, and to a further fine not exceeding Baht 2,000 per day, for every consecutive day such violation continues.

Section 104 Any Non-Life Insurance Broker who fails to comply with section 71 shall be liable to a fine up to Baht 50,000.

Section 105 Any Non-Life Insurance Broker who fails to comply with the order of the Registrar or of the Competent Officer under section 75 shall be liable to imprisonment for a term not exceeding one (1) month, or a fine not exceeding Baht 10,000, or both.

Section 106 Whoever obstructs or fails to cooperate with the Registrar or a Competent Officer in the performance of his duty under section 75 shall be liable to

⁸⁶ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸⁷ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁸⁸ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

imprisonment for a term not exceeding one (1) month, or a fine not exceeding Baht 10,000, or both.

Section 107 Whoever violates section 78 paragraph one shall be liable to imprisonment not exceeding six (6) months, or a fine not exceeding Baht 50,000, or both.

Section 108⁸⁹ If any Company wilfully violates section 23, section 28, section 35, or section 57 paragraph one, or wilfully gives a false statement, or conceals any facts to

be informed, clarified or explained under section 49, or does not temporarily cease to accept Non-Life Insurance under section 52 paragraph one, the director or person responsible for the operation of the Company shall be liable to imprisonment for a term up to one (1) year, or a fine up to Baht 100,000, or both, unless such director or person can prove that he was not involved in the Company's wrongdoing.

Section 108/1⁹⁰ Whoever violates section 78/2 shall be liable to imprisonment for a term not exceeding three (3) years, or a fine up to Baht 300,000, or both.

Section 108/2⁹¹ Any actuary who makes a false statement certifying a report on the calculation insurance policies liabilities, or a false report, or furnishes false relevant

documents in connection therewith, shall be liable to imprisonment for a term not exceeding two (2) years, or a fine up to Baht 200,000, or both. Section 109 paragraphs two and three, shall apply, *mutatis mutandis*.

Section 109 In the event of any following offenses:

(1) in the operation of the Company, any director or person responsible for such

operation commits an offence against property under chapter 1, chapter 3, chapter 4, chapter 5, or chapter 7 of Title 12 of the Criminal Code, or section 40, section 41, or section 42 of the Act on the Penalty of Registered Partnerships, Limited Partnerships, Limited Companies, Associations, and Foundations, B.E. 2499, or section 215 or section 216 of the Public Company Limited Act, B.E. 2535;

(2) in auditing the Company's accounts, any auditor commits an offense under section 269 of the Criminal Code, or section 31 of the Act on the Penalty of Registered Partnerships, Limited Partnerships, Limited Companies, Associations, and Foundations, B.E. 2499; or

(3) whoever causes another to commit an offense, or support another to commit an offense under (1) or (2),

The Office of Insurance Commission shall be deemed the damaged party under the Criminal Procedure Code.

For an offense under this section, when public prosecutor filing a criminal case with the court, the public prosecutor shall have the power to call for property, or costs, or claim compensation for damages in lieu of the damaged party. In this event, the provisions of filing a civil case which related to criminal case under the Criminal Procedure Code shall apply, *mutatis mutandis*.

⁸⁹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁹⁰ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

⁹¹ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 110 Where there is evidence that any person committed an offense under section 109, and the Office of Insurance Commission considers that damage to the public may be caused unless immediate action is taken, the Office of Insurance Commission shall have the power to order the seizure or attachment of the property of that person, or property which may legally be deemed to be property belonging to that person. The seizure or attachment may not be for longer than six (6) months, unless a case for the continuing of the seizure or attachment order has been filed in Court and the court has not ordered otherwise. Where circumstances render it impossible to file a case in Court within six (6) months, the Court having territorial jurisdiction may extend the period of seizure or attachment, as requested by the Office of Insurance Commission.

The Office of Insurance Commission shall have the power to appoint officials of the Office of Insurance Commission to seize or attach property under the first paragraph.

The provisions of the Revenue Code shall apply to seizures or attachments of property under the first paragraph, *mutatis mutandis*.

In cases under the first paragraph, where there is reasonable grounds for suspecting that said person is about to abscond from the Kingdom, and when requested by the Office of Insurance Commission, the Criminal court shall have the power to restrain that person from leaving the Kingdom, or in case of emergency, when the Secretary General of the Office of Insurance Commission or a person designated by

the Secretary General of the Office of Insurance Commission notifies the Director-General of the Police Department, the Director-General of the Police Department shall have the power to restrain that person from leaving the Kingdom for a temporary period of not more than fifteen days, until the Criminal Court orders otherwise.

Whoever violates the order of the Criminal Court or Director-General of the Police Department, made under paragraph four, shall be liable to imprisonment for a term not exceeding ten (10) years and to a further fine not exceeding Baht 1,000,000.

Section 111 The Fine Consideration Committee appointed by the Minister shall have the power to settle out of court any offence under this Act, except for offences under section 86 and section 110.

The Fine Consideration Committee appointed by the Minister under the first paragraph shall consist of three members, one of whom shall be an Investigating officer under the Criminal Procedure Code.

Where a case has been settled by such committee and the alleged offender has paid the fine as fixed, within the period of time specified by the committee, such settlement of the case shall be regarded as final.

Section 111/1⁹² Any offence under this Act which is subject to only a fine shall be barred by prescriptions, if no lawsuit regarding such offence is brought before a Court, or no settlement is made under section 111 within five (5) years from the date of the offence.

⁹² Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

Section 111/2⁹³ If any Company, Non-Life Insurance Agent, Non-Life Insurance Broker, adjuster, or actuary violates or fails to comply with the provisions of this Act, or the Ministerial Regulations or Notifications enacted under this Act, the Office of Insurance Commission shall have the power to announce or publish such violation or non-compliance, the details thereof, as well as the names of the involved parties, in accordance with the rules and procedures prescribed by the Commission.

Transitional Provisions under the Non-Life Insurance Act No. 2, B.E. 2551

Section 56 All Companies obtaining Non-Life Insurance licenses under the Non-Life Insurance Act B.E. 2535 (1992) shall be deemed a licensee under the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act. A branch of a Company obtaining a Non-Life Insurance business license before or on the date this Act comes into force, shall be deemed to be the branch of the licensee under the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, under the conditions prescribed by the Minister for approval.

If a licensee under the first paragraph is a limited company, such company shall be changed to a public limited company within five (5) years as from the date this Act comes into force. If the change is not effected within the specified time, the Company may continue its ordinary business, but cannot expand its business until the transformation to a public limited company is completed. The transformation shall be completed within three (3) years. If the transformation is not completed within the specified time, the Non-Life Insurance business license of the Company shall expire and it shall be deemed that the Company has had its Non-Life Insurance business license revoked.

The transformation to a public limited company under the second paragraph shall be in accordance with the Law governing Public Limited Companies.

For the purpose of this Act, in the determination of an event that is an expansion of business under the second paragraph, the provisions of section 27/6, paragraph two, and the penalty in the event of a violation of section 27/6 paragraph one, as provided for under section 89/1 of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, shall apply *mutatis mutandis*.

Section 57 Within five (5) years from the date this Act comes into force, a Company under section 56, paragraph one, of this Act shall change the proportion of its shareholders or directors to be in accordance with section 9 of the Non-Life Insurance Act B.E. 2535 (1992), as amended by this Act. If such change is not effected within the specified time, the Company may continue its activities, but may not open new branches.

Section 58 During transition from a limited company to a public limited company under section 56 of this Act:

(1) the provisions of section 13, section 13/1, and section 13/3 of the Non-Life Insurance Act B.E. 2535 (1992), as amended by this Act, shall apply, *mutatis mutandis*, to a transfer of any or all businesses between a limited company and a limited company, or a limited company and a public limited company, licensed to operate a Non-Life Insurance Business;

⁹³ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(2) the amalgamation of limited companies shall be in accordance with the Civil and Commercial Code; provided that the new company shall be registered as a public limited company under the Law on Public Limited Companies. Section 13/2 paragraphs two and three, of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, shall apply, *mutatis mutandis*;

(3) the amalgamation of a limited company and a public limited company shall be in accordance with the Law on the Public Limited Companies. Section 13/2 paragraphs two and three of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, shall apply *mutatis mutandis*;

(4) Section 1220, section 1224, section 1225, or section 1226 of the Civil and Commercial Code shall not apply to a capital increase or reduction of a limited company under section 52 paragraphs two and three of the Non-Life Insurance Act B.E. 2535; and

(5) the liquidation of, or amendment to the Memorandum of Association of, a limited company licensed to operate a Non-Life Insurance Business, that wishes to cease its business under section 57 of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, shall be in accordance with the Civil and Commercial Code.

Section 59 If the Commission has yet to issue a Notification concerning capital funds, under section 27 of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, or the Commission issues a Notification which is yet to take effect, a Company shall maintain the capital funds required by section 27 of the Non-Life Insurance Act B.E. 2535 (1992).

Notification under the first paragraph shall be issued within three (3) years from the date this Act comes into force.

Section 60 All immovable property vested in a Company under section 31(10) of the Non-Life Insurance Act B.E. 2535 (1992) before the date this Act comes into force shall be disposed of in accordance with section 33 of the Non-Life Insurance Act B.E. 2535 (1992).

Section 61 A Company under section 56 paragraph one of this Act shall manage that a director, manager, person authorized to act on its behalf, or a consultant to the Company, to possess the qualifications, and possess none of the prohibited characteristics as stated in section 34 of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, within two (2) years from the date this Act comes into force.

Section 62 Where no Notification regarding the rules, regulations, and conditions for the application of a license, or for the renewal of a license under section 65 or section 72 of the Non-Life Insurance Act B.E. 2535 (1992) amended by this Act, is not issued; or such Notification is issued, but is yet to take effect, the approval shall be considered in accordance with section 65 or section 72 of the Non-Life Insurance Act B.E. 2535 (1992), as the case may be.

Section 63 A person who has the duty to inspect and adjust loss on the date this Act comes into force, having the qualifications and without any of the prohibited characteristics under section 35/3, shall file an application with the Registrar for an adjuster's license under this Act within three (3) years from the date this Act comes into force. Once an application is submitted, the applicant shall continue to perform his duty until the receipt of the Registrar's rejection order (if any).

Section 64 Whoever is charged with the duty of certifying reports on the calculation of liabilities under insurance policies of the Company, on the date this Act comes into force, may continue performing their duties for another eight (8) years.

Section 65 The Office of Insurance Commission shall transfer the money, property, and liabilities of the Fund for the Development of the Non-Life Insurance Business, existing on the date of the publication of this Act in the Royal Gazette, to the Non-Life Insurance Fund.

Section 66 The rates of fees stated in the Schedule attached to the Non-Life Insurance Act B.E. 2535 (1992) shall be repealed and replaced by the Schedule attached hereto.

Section 67 All Ministerial Regulations, Notifications, conditions, or orders issued under the Non-Life Insurance Act B.E. 2535 (1992), applicable on the date this Act comes into force, to the extent they are not in conflict or inconsistent with this Act, shall continue to apply until the Ministerial Regulations, Notifications, conditions, or orders under this Act comes into force.

Any Ministerial Regulations, Notifications, conditions, or orders under the first paragraph shall be issued within two (2) years from the date this Act comes into force.

Section 68 The Minister of Finance shall have the care and charge of the execution of this Act.

Countersigned by the Prime Minister

(Royal Gazette Vol. 109, Part 46, 10 April B.E. 2535)

(Royal Gazette Vol. 125, Part 27 Gor, 5 February B.E. 2551)

Transitional Provisions under the Non-Life Insurance Act B.E. 2535

Section 112 It shall be deemed that a company that already has a license to engage in the Non-Life Insurance Business under the Non-Life Insurance Act B.E. 2510 is a company that has a license to engage in the Non-Life Insurance Business under this Act, and that a branch office of the company already licensed under said Act, before or on the date this Act comes into force, is a branch office of the company licensed under this Act, in accordance with the conditions prescribed by the Minister when granting the license.

Section 113 Any company under Section 112 that has already issued shares in contravention of section 8 of this Act shall rectify such contravention to comply with section 8 of this Act, within two (2) years from the date of this Act coming into force.

Section 114 Any company under section 112 whose Thai-nationality shareholders or directors are in a number less than the rate prescribed in section 9 of this Act may continue to have shareholders or directors of Thai nationality in such number.

Section 115 Any company under section 112 already has a branch office which is separate from the Head Office of the company and engages in any activity for the benefit of the company under section 112, shall apply for permission to open a

branch office under this Act or discontinue such branch office. Provided that such actions are completed within one (1) year from the date of this Act coming into force, and within such period the company under section 112 shall not be deemed to have violated section 16.

Section 116 The company under section 112 shall place a correct security deposit under section 19 of this Act within one (1) year from the date the Ministerial Regulations issued in accordance with section 19 of this Act comes into force.

Section 117 The company under section 112 shall arrange for maintaining capital funds In accordance section 27 of this Act, within three (3) years from the date this Act comes into force.

Section 118 The provision of section 33 of this Act shall not be applied to all immovable property which the company under section 112 acquired or had before the Act comes into force, which must be disposed of under section 33 of this Act within nine (9) years from the date of cessation of use or the date of acquisition of that immovable property, as the case may be, unless the company under section 112 acquired or had that immovable property before 14 April 2510 (1967).

Section 119 The provision of section 34 of this Act shall not be applied to a person who was legally a director, manager, officer, authorized person in the administration, or advisor of the company under section 112, before or on the date of this Act comes into force.

Section 120 Claims which an insured or beneficiary, under an insurance policy, or a person who has the right to claim under the insurance policy are entitled to receive, that are barred by prescription and in the possession of the Company on the date of this Act coming into force, shall be examined and sent by the Company to the Fund within three (3) months from the date of this Act coming into force and the provision of section 80 shall apply, *mutatis mutandis*.

Section 121 Any company under section 112 licensed to engage in the life insurance business under the Life Insurance Act, before or on the date this Act comes into force, shall continue engaging in the life insurance business under its license, in accordance with the following conditions:

(1) the security deposit placed by the company with the Registrar and the capital funds maintained by the Company under sections 19 and 27 of this Act, as the case may be, shall also be a security deposit and capital funds separated from the security deposit and capital funds that the Company under section 112 shall place and maintain, under the Life Insurance Act;

(2) the books of account of the life insurance business shall be separated from that of the Non-Life Insurance Business;

(3) if the Minister orders the withdrawal of a company's license to engage in the Non-Life Insurance Business, under section 59 of this Act, such order shall be an order to withdraw the company's license to engage in the life insurance business under section 112.

A company under the first paragraph shall establish a new company to obtain a license to engage in the life insurance business, under the law on Life Insurance, and shall transfer the assets, liabilities, and responsibilities under insurance policies,

including officers and employees of the life insurance business of the company under section 112, to that new company within eight (8) years from the date when this Act comes into force. Failure to establish a new company to obtain said license within the time so specified, or failure to comply with the provisions of this section, shall cause the license of the company under section 112, to engage in the life insurance business, to expire.

Section 122 If there is a necessary reason, the Minister shall have the power to extend a period as prescribed in section 113, section 115, section 116 and section 117 of this Act, upon the application of the Company under section 112, showing the necessary reason. However, said extended period shall not exceed two (2) years from the expiration of the period prescribed under section 113, section 115, section 116 and section 117.

Section 123 A person who has obtained a license to be Non-Life Insurance Agent or a Non-Life Insurance Broker under the Non-Life Insurance Act B.E. 2510 shall be a person who has obtained a license to be a Non-Life Insurance Agent or a Non-Life Insurance Broker under this Act 33.

Section 124 A person licensed to be an Non-Life Insurance Agent and a Non-Life Insurance Broker under the Non-Life Insurance Act B.E. 2510 simultaneously shall notify the Registrar of his intention to terminate being a Non-Life Insurance Agent or Broker within two (2) months from the date of this Act coming into force. Any person who fails to give a notice for termination of being a Non-Life Insurance Agent or Broker after the expiry of said period to the Registrar, the Non-Life Insurance Broker's license of said person shall be deemed terminated from the expiry of the period during which the termination should have been notified.

Section 125 All Ministerial Regulations, notifications, or conditions issued or prescribed in the granting of permission, which are effective before or on the date of this Act coming into force shall continue being effective, in so far as they are not in conflict with or inconsistent with the provisions of this Act and until there are Ministerial Regulations, notifications, or conditions issued or prescribed under this Act.

Schedule of Fees⁹⁴

(1) Application for Non-Life Insurance Business license	200,000 Baht
(2) Non-Life Insurance Business license – all types of losses	2,000,000 Baht
(3) Non-Life Insurance Business license – amalgamation	100,000Baht
(4) Non-Life Insurance Business license – certain types	1,600,000 Baht
(5) License to open a branch of the Company	80,000 Baht
(6) Permission to relocate the Head Office or branch office	20,000 Baht
(7) Application fee for examination to receive a Non-Life Insurance Agent license or a Non-Life Insurance Broker license	400Baht
(8) Non-Life Insurance Agent license	800Baht
(9) License of a corporate Non-Life Insurance Broker	40,000Baht
(10) License of an individual Non-Life Insurance Broker	800Baht

⁹⁴ Amended by the Non-Life Insurance Act (No. 2), B.E. 2551

(11) Application for adjuster license	500 Baht
(12) Application for actuary license	500Baht
(13) Adjuster license	20,000 Baht
(14) Actuary license	20,000 Baht
(15) Replacements for every type of license	400 Baht
(16) Annual fee for the undertaking of a Non-Life Insurance Business – all types of loss	200,000 Baht
(17) Annual fee for the undertaking of a Non-Life Insurance Business – certain types of loss	160,000 Baht
(18) Renewal of a Non-Life Insurance Agent license (for one year)	400 Baht
(19) Renewal of a Non-Life Insurance Agent license (for five years)	2,000 Baht
(20) Renewal of a license of a corporate Non-Life Insurance Broker (for one year)	12,000 Baht
(21) Renewal of a license of a corporate Non-Life Insurance Broker (for five years)	60,000 Baht
(22) Renewal of a license of an individual Non-Life Insurance Broker (for one year)	400 Baht
(23) Renewal of a license of an individual Non-Life Insurance Broker (for five years)	2,000 Baht
(24) Renewal of an adjuster license	12,000 Baht
(25) Renewal of actuary license	12,000 Baht
(26) Examination of documents (for each examination)	100 Baht
(27) Extraction or certification of a copy of a document (per page)	100 Baht
(28) Application for approval of the form and contents of an insurance policy, relevant documents, or annexes (per form)	4,000 Baht
(29) Application for approval of premium rates (per form)	4,000 Baht