

SEC Thailand's public hearing on the proposal and draft regulation to allow securities companies to offer investment token services.

Promoting investment tokens for fundraising is a priority for the Securities and Exchange Commission (SEC). However, it has been observed that the ecosystem for investment tokens is still incomplete, particularly in terms of access channels for investors. The SEC conducted a public hearing from 12 September 2024 to 14 October 2024 regarding the amendment of the Notification of Ministry of Finance regarding licensing of digital asset businesses B.E. 2561 to establish a simplified process for securities companies to obtain the licenses to offer investment token services. From the feedback and discussions with stakeholders, it has been found that the measure may not sufficiently incentivize securities companies to provide investment token services.

Subsequently, the SEC Board has approved the revised proposal to support investment tokens by exempting the digital asset business licenses for securities companies that wish to provide investment token services. This aims to leverage the capability of securities companies on customer support in order to broaden the group of investors of investment tokens and expand investment options for the clients of securities companies. The SEC will supervise securities companies through the regulation on additional business of securities companies under the Securities and Exchange Act B.E. 2535

The proposal details for license exemption are as follow:

(1) Types of exempted licenses: To exempt DA Broker, DA Dealer and DAIA licenses for securities companies who hold a securities license in the same activity category, such as exempting the DA Broker license for securities companies who hold a securities broker license.¹

(2) Scope of Services: Securities companies can only provide services for investment tokens that have been authorized for Initial Coin Offering (ICO) by the SEC.² It can accept cryptocurrencies for the subscription or trading of investment tokens only which ICO Portal and digital asset exchanges as permitted by the SEC's notification.³

¹ If securities companies wish to provide services for both investment tokens and Crypto-asset (cryptocurrencies and utility tokens), it must apply for a full digital asset business license without any exemption and must also comply with conduct rules for providing investment token and Crypto-asset services.

² Including public offerings (PO) and private placements (PP).

³ Including programmable money under the Enhanced Regulatory Sandbox of the Bank of Thailand, Bitcoin, Ethereum, Ripple, Stellar, USDT and USDC. However, trading these cryptocurrencies with Thai baht is not permitted.

For further details of this public hearing, please visit www.sec.or.th/hearing. Stakeholders and interested parties are also welcomed to submit comments and recommendations via the SEC Thailand's website or email: jirapat@sec.or.th or thanapatk@sec.or.th

The public hearing ends on 26 May 2025
