

-Unofficial Translation-

Ministerial Regulation(B.E. 2532)
Promulgated under the Provident Fund Act B.E. 2530
(as amended)*

By virtue of Sections 4 and 6 of the Provident Fund Act B.E. 2530, the Finance Minister hereby issue Ministerial Regulation as follows:

Clause 1 An application for registration of the fund established in accordance with Section 5 together with documents specified in Clause 4 shall be filed by the fund committee with the registrar.

Clause 2 For the pension plan's proceeds established in accordance with the Ministerial Regulation No. 162 (B.E. 2526) promulgated under the Revenue Code on the Provident Fund prior to the date on which the Provident Fund Act B.E. 2530 comes into force, if intending to become the fund in accordance with the Provident Fund Act B.E. 2530,[the employer/ the fund committee] shall file with the registrar an application for registration of the fund together with an application for making payment of pension plan's proceeds to the fund and document specified in accordance with Clause 4 within one year from the date on which this Ministerial Regulation comes into force and shall make a lump sum payment of pension plan's proceeds to the fund.

Clause 3 For the pension plan's proceeds allocated or reserved by the employer or saved by the employee in segregation from any other proceeds, for the purpose of making payment upon the resignation of employee established prior to the date on which the Provident Fund Act B.E. 2530 comes into force, if intending to become the fund in accordance with the Provident Fund Act B.E. 2530, [the employer/ the fund committee] shall file with the registrar an application for registration of the fund together with an application for making payment of pension plan's proceeds to the fund with details and documents specified by Clause 4 and by the registrar, within 30th December B.E. 2548. The payment of pension plan's proceeds to the fund shall be lump

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sum or installment made within ten accounting year, each installment of which shall at least be equal to all proceeds divided by the number of years.

[Amended by the Ministerial Regulation No. 10 (B.E. 2547) promulgated under the Provident Fund Act B.E. 2530 dated 8th December B.E. 2547.]

Clause 3bis For the pension plan's proceeds having characteristics in accordance with Clause 3 which has not been registered, if intending to apply for registration as the fund in accordance with the Provident Fund Act B.E. 2530, [the employer/ the fund committee] shall file with the registrar an application for registration of the fund together with an application for making payment of pension plan's proceeds to the fund from 1st October B.E. 2539 to 30th September B.E. 2540, the procedure of which shall accord with criteria and procedure specified in Clause 3.

[Added by the Ministerial Regulation No. 7 (B.E. 2539) promulgated under the Provident Fund Act B.E. 2530 dated 12th September B.E. 2539.]

Clause 3ter For the provident fund registered in accordance with the Provident Fund Act B.E. 2530 but has not filed an application for making payment of pension plan's proceeds to the fund or has filed such application but all proceeds have not been paid to the fund, if intending to make such payment to the fund, it shall file with the registrar an application with details and documents as specified by the registrar within 30th December B.E. 2548. The payment of proceeds shall accord with criteria and procedure specified in Clause 3.

[Amended by the Ministerial Regulation No. 10 (B.E. 2547) promulgated under the Provident Fund Act B.E. 2530 dated 8th December B.E. 2547.]

Clause 4 An application for registration of the provident fund shall have details and documents as specified by the registrar, the application of which shall at least have the following information and documents:

- (1) date of filing the application;
- (2) amount and information relating to employee and employer who agree to establish the fund and details relating to seed fund;
- (3) information relating the auditor;
- (4) information relating the fund manager and material substance of agreement or covenant between the fund and the fund manager;
- (5) the articles of the fund.

[Amended by the Ministerial Regulation No. 9 (B.E. 2543) promulgated under the Provident Fund Act B.E. 2530 dated 30th March B.E. 2543.]

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Clause 5 Filing of an application for registration of the fund under this Ministerial Regulation shall be filed at the registrar's office.

[Amended by the Ministerial Regulation No. 9 (B.E. 2543) promulgated under the Provident Fund Act B.E. 2530 dated 30th March B.E. 2543.]

Given on the date of 16th June B.E. 2532.

(Pramual Sapavasu)
Finance Minister

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