

Translation

TC-CP 006/2556

19 February 2013

Subject: Additional information regarding the agenda to consider and approve a letter to confirm the prohibitive characters in connection with foreign dominance

To: The President
The Stock Exchange of Thailand

Reference: Thaicom Public Company Limited's Letter reference no.TC-CP 004/2556 dated 13 February 2013

Reference is made to the resolution of Board of Directors of Thaicom Public Company Limited ("the Company") No.3/2013 regarding the schedule of 2013 Annual General Meeting of Shareholders. The Company would like to inform an additional information on the agenda 9: To consider and approve a letter to confirm the prohibitive characters in connection with foreign dominance (agenda 9) as follows:

As the Company is a licensee under the Notification of the National Broadcasting and Telecommunications Commission (NBTC) On Determination of the Prohibitions of the Business Domination by Foreigner which was published in the Government Gazette on 23 July 2012. The Company therefore has to submit the letter to confirm the prohibitive characters in connection with foreign dominance as appeared in Attachment 1, and is required to propose to the Annual General Meeting of Shareholder for approval before submitting to the NBTC.

Please be informed accordingly.

Yours Faithfully,

Signed

(Mr. Vuthi Asvasermcharoen)
Chief Financial Officer
THAICOM Public Company Limited



List of the Prohibitions of Business Domination by Foreigner

- (1) The domination in business by allowing Foreigner, its agent or puppet to hold shares, either directly or indirectly, in order to avoid this Notification.
- (2) The domination in business through shareholding by Foreigner, or his agent or proxy, where such shares have voting privilege in the shareholders meeting in the proportion of more than the actual number of shares held, or are the shares that have privilege above the shares held by Thai shareholders.
- (3) The domination in business through the fact that the Foreigner has controlling power or influences either directly or indirectly on policy determination, management, operation or appointing directors, or senior executives.

Senior executives means chairman of the board, managing director, manager, director, chief procurement executive, chief financial executive, or any other persons who has controlling power or influence on business administration, or the operation of telecom business of the License Applicant or the Licensee.
- (4) The domination in business through legal relationship with the source of investment or loan from Foreigner, or affiliated juristic person such as a loan guarantee, a loan at the interest rate lower than the market rate, business risk assurance, or a credit in discriminatory manner.
- (5) The domination in business through an agreement relating to intellectual property, franchise, or exclusive right with Foreigner, or affiliated juristic person, and such agreement results in the transfer of expenses and return to Foreigner.
- (6) The domination in business through a procurement agreement, or management agreement with Foreigner, or affiliated juristic person, or employees, or staffs of Foreigner, or affiliated juristic person, and such agreement results in the transfer of expenses and return to Foreigner.
- (7) The domination in business through a joint operation of business with Foreigner, or affiliated juristic person by allocating, or dividing operating cost in the manner that results in the transfer of expenses and return to Foreigner.
- (8) The domination in business through transaction in the manner of transfer pricing, or price fixing with Foreigner, or affiliated juristic person