Digital Asset Custodian Is Recognized

Effective from 13th July 2022, under the Notification on Prescribing Other Businesses Related to Digital Assets as Additional Digital Asset Businesses (No. 2) B.E. 2565 dated 10th June 2022 and the Notification on License to Operate Digital Asset Business (No. 3) B.E. 2565 dated 10th June 2022 of the Ministry of Finance (MOF), the "Digital Asset Custodian" (a person who provides service or presents itself to the general public that it is ready to provide one or several of the following services in its ordinary course of business and receive a fee or other remunerations) is legally recognized and, upon being granted a license by the MOF, can provide services of:

- (1) accepting or keeping the digital assets in custody;
- (2) providing management services of encryption of cryptographic keys or other management services that are required to be keptk confidential for approval of any transfers or transactions related to the digital assets with full or partial authorization.

The digital asset custodian must be (1) a securities company, (2) a commercial bank, (3) a financial institution prescribed by the SEC, (4) a securities depository established under the securities and exchange law, or (5) a newly established company not holding any other digital asset business license.

The digital asset custodian must pay a license fee of THB1,000,000 to the MOF.

The existing digital asset custodians operating without a digital asset custodian license must apply for a digital asset license within 10th October 2022 (90 days from 13th July 2022).



Kowit Somwaiya Managing Partner kowit.somwaiya@lawplusltd.com



Naddaporn Suwanvajukkasikij Partner naddaporn.suwanvajukkasikij@ lawplusltd.com

LawPlus Ltd. Unit 1401, 14th Fl., Abdulrahim Place, 990 Rama IV Road, Bangkok 10500, Thailand Tel. +66 (0)2 636 0662 Fax. +66 (0)2 636 0663 www.lawplusltd.com

The information provided in our LawPlusUpdates is general in nature and may not apply to any specific situation. Specific advice should be sought before taking any action based on the information provided. Under no circumstances shall LawPlus Ltd., LawPlus Myanmar Ltd., or any of their directors, partners and lawyers be liable for any direct or indirect, incidental or consequential loss or damage that may results from the use of or the reliance upon the information contained in our LawPlusUpdates. Copyright © 2022 LawPlus Ltd.