

(Translation)*



MINISTERIAL REGULATION

**ESTABLISHING PARTNERSHIPS AND COMPANIES REGISTRATION OFFICES, APPOINTING REGISTRARS AND
PRESCRIBING RULES AND PROCEDURES FOR REGISTRATION OF PARTNERSHIPS AND LIMITED COMPANIES (NO. 2),
B.E. 2553 (2010)**

By virtue of the provisions of section 1014 of the Civil and Commercial Code, which is the law containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which section 29, in conjunction with section 41 and section 43 of the Constitution of the Kingdom of Thailand so permits by virtue of provisions of law, the Minister of Commerce issues this Ministerial Regulation, as follows.

Clause 1. This Ministerial Regulation shall come into force as from the day following the date of its publication in the Government Gazette.**

Clause 2. The provisions of Clause 2 of the Ministerial Regulation Establishing Partnerships and Companies Registration Offices, Appointing Registrars and Prescribing Rules and Procedures for Registration of Partnerships and Limited Companies, B.E. 2549 (2006) shall be repealed and replaced by the following provisions:

“Clause 2. There shall be established in the Department of Business Development, Ministry of Commerce, the Central Partnerships and Companies Registration Office, with Director-General of the Department of Business Development being the Central Registrar and with such ordinary Government officials who hold an Executive Position, a Managerial Position or a Knowledge-Worker Position from, for the latest, the Senior Professional Level upwards in the Department of Business Development as appointed by the Central Registrar being Assistant Central Registrars, for performing registration work in relation to partnerships and limited companies which have principal business offices in Bangkok and other provinces throughout the Kingdom.”

* Translation by Dr. Pinai Nanakorn, Faculty of Law, Thammasat University, for the Department of Business Development, Ministry of Commerce

** Published in Government Gazette, Vol. 127, Part 36a, dated 2nd June 2010.

Clause 3. The provisions of paragraph two of Clause 3 of the Ministerial Regulation Establishing Partnerships and Companies Registration Offices, Appointing Registrars and Prescribing Rules and Procedures for Registration of Partnerships and Limited Companies, B.E. 2549 (2006) shall be repealed and replaced by the following provisions:

“In Partnerships and Companies Registration Offices, such ordinary Government officials who hold an Executive Position, a Managerial Position, a Knowledge-Worker Position or a General Position of, for the latest, the operational level with not less than five years of Government service or the experienced level upwards in the Ministry of Commerce as appointed by the Central Registrar shall be Registrars.”

Given on the 14th Day of May 2010.

Porntiwa Nakasai
Minister of Commerce

Note:- The reason for the promulgation of this Ministerial Regulation is as follows. Whereas it is expedient to revise the prescription of positions of ordinary Government officials eligible for appointment by the Central Registrar as Assistant Central Registrars and Registrars under Ministerial Regulation Establishing Partnerships and Companies Registration Offices, Appointing Registrars and Prescribing Rules and Procedures for Registration of Partnerships and Limited Companies, B.E. 2549 (2006) in order to be in line with the classification of categories and levels of positions of ordinary Government officials under the law on Civil Service Organisation currently in force as well as in line with duties and responsibilities to be assumed by persons appointed to hold the positions. It is therefore necessary to issue this Ministerial Regulation.