

บริษัท ที่ปรึกษากฎหมายเชนดเลอร์และทองเอก จำกัด

CHANDLER & THONG-EK

Bangkok, Thailand

Firm Profile



Thai Law Firm of the Year 2000-2011

Partners



**Maria Makanas * Sumit Masrungson * Peangnate Sawatdipong * E. T. Hunt Talmage, III (Counsel) * Ratana Poonsombudlert
Albert T. Chandler * Niwes Phancharoenworakul * Jessada Sawatdipong * Supasit Boonsanong**

Lawyers



**The firm currently has 8 partners, 26 associates, 3 foreign counsels
and over 50 non-professional staff**

Unique features of the Thai legal system

- **Constitutional Monarchy**
 - ♦ 2007 Constitution
- **Legal System is long established**
 - ♦ Ministry of Justice in 1892
 - ♦ Thai Bar Association in 1914
- **Civil Law System**
 - ♦ 4 basic codes
 - ♦ Special laws and regulations
 - ♦ Arbitration Act and Arbitration Institute
- **Independent Judiciary**
- **Government agencies may be sued in courts**
- **Sanctity of contract policy**
- **Role of Thai civil service**
- **Language of the courts: Thai**
- **No class actions**
- **No floating charges**
- **No juries**
- **No punitive damages**
- **No right to claim lawyers' fees**
- **No contingent fee agreements**
- **No US-style discovery**

Regulation of lawyers

- Lawyers Council
- Law Society

No. of lawyers : 61,631 (100211)

No. of judges : 4,287 (030311)

No. of prosecutors : 3,208 (010311)

➤ Supreme Court

- Court of Appeals
- Court of First Instance

➤ Administrative Court

➤ Constitutional Tribunal

Specialized Courts

- Bankruptcy Court
- Tax Court
- IPIT Court
- Family Court
- Juvenile Court

Listing of Thai Law Firms

LOCAL

The following firms are considered "local" Thai firms with offices in Bangkok. Certain of the firms have international associations, but are not "international law firms" with management offshore.

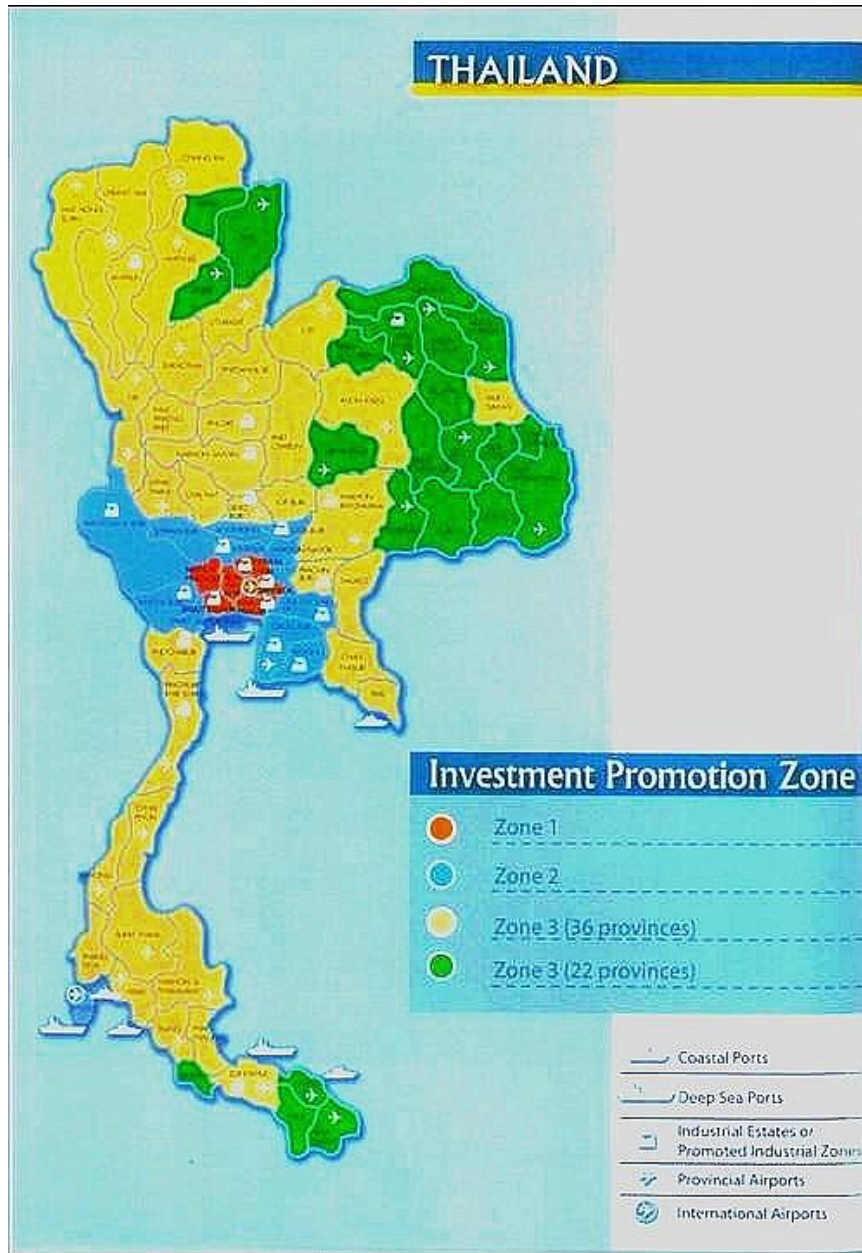
- The Anek Group
- Apisith & Alliance Ltd.
- Blumenthal Richter & Sumet
- Boonsom & Manoch Interlaw Limited
- **Chandler & Thong-ek Law offices Ltd. ***
- Chavalit & Associates
- Deissenberger & Partners
- Dej-Udom & Associates
- Domnern Somgiat & Boonma Law Office Limited [leading IP firm]
- Kanung & Partners
- Koerner & Associates
- **International Legal Counsellors Thailand Ltd. (Russin & Vecchi) ***
- Law Alliance Limited
- **LS Horizon Ltd. (formerly Law & Solicitors) ***
- Legist
- LawPlus
- Legal Advisory Council Limited
- Mongkolnavin Law Office
- PBS Law Limited
- Phoenix Barrister (Thailand) Co. Ltd.
- Price Sanond Prabhas & Wynne (Deacons)
- Satyapon & Partners
- SCM International Law Office
- **Siam Premier International Law Office (Allens Arthur Robinson) ***
- Tilleke & Gibbins International Ltd.
- Vickery Worachai Ltd.
- **Weerawong Chinnawat & Peangpanor Ltd. ***

* significant experience in international financial transactions

N.B. These listings are not complete

International

- Allen & Overy (Thailand) Limited
- Baker & McKenzie
- Clifford Chance (Thailand) Limited
- DFDL Mekong Law Group
- DLA Piper Rudnick Gray Cary (Thailand) Ltd.
- Herbert Smith (Thailand) Limited
- Hunton & Williams (Thailand) Limited
- Linklaters
- Norton Rose (Thailand) Limited
- Watson, Farley & Williams (Thailand) Limited
- Zaid Ibrahim & Co. (Thailand) Limited



Board of Investment

Investment Promotion Zones

Note: Priority categories
One Zone policy

Board of Investment

The Board of Investment (BOI) was established under the Investment Promotion Law, 1977, which follows the same general form of the first investment promotion law enacted in 1963. Both foreign and local investors may apply for incentives under this law.

A list of businesses eligible for promotion is maintained by the BOI.

Promoted companies are given guarantees against nationalization and competition from the government sector.

Tax and non-tax incentives offered by the BOI are determined by the location and scope of the enterprise, except for Priority Activities for which BOI have special incentives for the promoted companies regardless of location. The following tax and non-tax incentives are granted:

- right to employ foreign technicians and managers
- right to own land
- exemption or reduction of import duties on imported machinery
- exemption of import duties on imported raw materials for a one-year
- exemption from payment of companies income tax for a period of three to eight years
- exemption of income tax on dividends for the period of income tax holiday

Website: <www.boi.go.th>



C&T Principal Practice Areas

- 1. Energy & Major Investment Projects**
 - Petrochemical
 - Power (coal, gas, hydro, solar, wind, and waste gas)
 - Manufacturing
- 2. Banking and Project Financing**
- 3. Securities**
- 4. Corporate and M&A**
 - Corporate secretarial work for more than 300 companies
- 5. Petroleum and Minerals**
 - Exploration & Production
 - Cross-border pipelines
 - LNG procurement
 - Mining
- 6. Restructuring**
- 7. Dispute Settlement**
- 8. International Business Transactions**
- 9. Tax**
 - C&T is the Thailand reporter for the Worldwide Business Tax Guide (WBTG)
- 10. Government Contracts**



Law Practice

Chandler & Thong-ek (C&T) was established in 1974 and has engaged in a Thai business and finance law practice, representing a number of major Thai and international clients in a wide range of investment projects and financial transactions. We advise shareholders and management in their analysis and decision-making relating to tax, regulatory and other legal requirements, and we also seek to present the commercial considerations involved in the transactions.

C&T has 8 partners, 26 associates and 2 foreign counsel, who work in teams to provide responsive, prompt advice.

C&T has extensive experience in corporate, commercial and financial transactions in Thailand, including investment funds, real estate projects, foreign investments and related tax matters. C&T has particular expertise in energy and natural resource matters, and has acted for international agencies and for Asian governments on projects involving mineral policies and legislation.

C&T received IFLR's National Law Firm of the Year Award at the Asian Awards 2011 on 3 March 2011, for the 11th year in a row.

C&T's language capabilities presently include Thai, English, French, and Lao.

Teaming with International Counsel

- **Allen & Overy** : **Nam Theun 2, BLCP, Siam Energy as lenders' counsel**
- **Ashurst** : **PTT LNG Procurement Project, TTA Buyers Credit, Bangchak solar financing, TTM Islamic financing**
- **Cleary** : **PTTEP, as owners' counsel re IPO**
- **Clifford Chance** : **BTSC, as special lenders' counsel**
- **Freshfields** : **Glow IPP refinancing, as lenders' counsel**
- **Latham & Watkins** : **Tri Energy, Ratchgen, Eastern Power, BLCP, Theun Hinboun, Houay Ho, Hongsa, as lenders counsel; 2007 IPP Solicitation**
- **Linklaters** : **SPRC and IPT, as lenders' counsel, RBS as Thai counsel**
- **Lovells** : **Standard Chartered Bank documentation project**
- **Mekong Law Group** : **Theun Hinboun, Houay Ho, Nam Theun 2, Nam Ngum 2, Hongsa as lenders' counsel**
- **Milbank** : **Rayong Power, Khanom Power, as lenders' counsel;**
- **Norton Rose** : **Don Muang Tollway, as lenders' counsel**
- **Orrick** : **FRA as counsel on sale of assets; BoT re four distressed banks; SPP projects, as owners' counsel**
- **Shearman & Sterling** : **Ratchaburi Power, as lenders' counsel**
- **Skadden** : **NSM 144A issue, numerous M&A**
- **Slaughter & May** : **Second Stage Expressway as lenders' counsel, numerous M&A**

Selection of Major Projects/Cases

- **Thai counsel to lenders to Hongsa lignite fired power plant in Lao PDR (closing 5 August 2010).**
- **Counsel to Trans Thailand-Malaysia pipeline project, Phase II financing and issue of Sukuk bonds in Islamic capital market.**
- **Thai counsel to ADB and Mizuho, in financing of Bangchak Petroleum's 38MW solar power project (closing October 2010).**
- **Outside counsel to General Motors in financing Thai projects (closing December 2009).**
- **Thai counsel to Bidders in 2007 IPP Solicitation.**
- **Thai counsel to lenders to BLCP Power coal-fired IPP.**
- **Thai counsel to the lenders to Independent Power, Tri Energy, Eastern Power, Ratchaburi, Glow gas-fired IPPs.**
- **Lead counsel to lenders to Nam Ngum 2 hydropower project in Lao PDR, Thai counsel to lenders to NT-2, THPC and HHPC hydropower projects.**
- **Thai counsel to EEA Fund (Trading Emissions Plc) re alternative energy investments in Thailand.**
- **C&T and Ashurst currently represent PTT in its LNG Procurement Project.**
- **C&T acted for PTT advising on merger of listed affiliates Rayong Refinery and Aromatics Thailand.**
- **C&T acts for Solvay on its major hydrogen peroxide expansion project.**
- **C&T was a member of Chulalongkorn Law Faculty's team advising the Department of Mineral Fuels re petroleum legislation reform, and team advising Ministry of Energy re proposed legislation on energy conservation and alternative fuel; PTIT's team advising EPPO on natural gas pricing; and team advising DMF on CCS (carbon capture and sequestration).**
- **Since 1981, C&T has advised the government of Nepal's Petroleum Exploration Promotion Project.**

Community Activities

Professional Organizations

- American-Thai Chamber of Commerce
- Association of International Petroleum Negotiators (AIPN)
- Board of Trade, Arbitration Committee
- International Bar Association, SEERIL
- Mining Council
- Petroleum Institute of Thailand (PTIT)
- Society of Petroleum Engineers (SPE)
- Thai Chamber of Commerce
- International Chamber of Commerce, Thai Chapter
- Chartered Institute of Arbitrators, Thai Chapter

Teaching

- Chulalongkorn Law Faculty
- University of Thai Chamber of Commerce
- Organizer of 2010 Chulalongkorn LL.M. Oil and Gas Law, Economics and Policy Program

**Organizer of 2009 AIPN International Conference
18-21 October 2009, Oriental Hotel, Bangkok**



Annual Parties

BEIJING – April 2007 你好



LAOS – May 2010 ສະບາຍດີ



Chula LL.M. Oil & Gas Law Training Courses

1 August – 2 October 2010
Faculty of Law
Chulalongkorn University



Field Trip to Map Ta Phut
10 September 2010



Organizers:
Chula Law Faculty: Dr. Kanich Punyashtiti
C&T: Mr. Albert T. Chandler
PTIT: Mrs. Prapai Numthavej
and Mr. Norman Nadorff (BP Angola) (2nd from left)

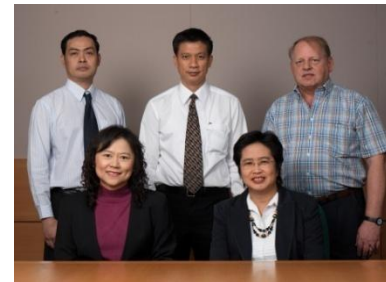
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ยินดีต้อนรับ

Welcome to Thailand

