

## Holding annual general meetings of shareholders and filing audit reports during the COVID-19 outbreak

### The following report may be of interest to:

All clients

### Summary:

As a consequence of demanding control measures imposed by provincial governors to curb the spread of COVID-19, many companies are facing enormous adverse effects on routine activities that usually occur at this time of the year, particularly the holding of annual general meetings of shareholders (the AGM) and the annual filing of audit reports with the Department of Business Development (DBD). The DBD has therefore issued two notifications. The first is to help companies, both private and public, and other juristic persons located in the areas where activities are restricted due to the COVID-19 as per the government's announcement to meet deadlines for holding their AGM and filing documents and the second is to extend filing reports for foreign companies.

### Here are the important deadlines.

#### DBD Notification dated 26 April 2021 (for limited companies)

This notification sets the following deadlines.

1. The last day to hold the AGM is one month from the AGM's originally scheduled date, which would be a day between 26 May and 31 May 2021, provided that:
  - the accounting period must end on 31 December 2020
  - the AGM was originally scheduled to be held between 26 April 2021 and 30 April 2021 and there are supporting documents such as an invitation letter, and
2. The last day to submit the list of shareholders (BOJ 5) is 14 June 2021 provided that it's within 14 days of the actual AGM date.
3. The last day to submit audited financial statements is 30 June 2021 provided that it's within one month of the actual AGM date.

# PwC Legal Insight # 04/2021

## Legal Update

Issued Date: 7 May 2021

### Remarks:

- All documents and a clarification letter must be submitted online via DBD e-Registration (for the clarification letter) and DBD e-Filing (for all other documents).
- The AGM can be conducted via video conference or e-Meeting pursuant to the Emergency Decree on Meetings Held by Electronic Means, B.E. 2563, which took effect on 19 April 2020. An e-Meeting held in accordance with the procedures stipulated by the law has the same effect as a physical meeting.

### DBD Notification dated 3 May 2021 (for foreign legal entities)

This notification permits partnerships, joint ventures and legal entities established under foreign laws and operating a business in Thailand to submit their financial statements by 30 June 2021. The requirements are:

- the accounting period must end on 31 December 2020, and
- the filing must be done via DBD e-Filing.

### Remarks:

- All documents must be submitted online via DBD e-Filing



### For further information, please contact:

- Ms. Vunnipa Ruamrangsri, Legal Partner, at [vunnipa.ruamrangsri@pwc.com](mailto:vunnipa.ruamrangsri@pwc.com) or +66 2 844 1284
- Mr Kampanat Chonsawad, Manager, at [kampanat.chonsawad@pwc.com](mailto:kampanat.chonsawad@pwc.com) or +66 2 844 2023
- Ms. Napassorn Lertussavavivat Manager, at [napassorn.lertussavavivat@pwc.com](mailto:napassorn.lertussavavivat@pwc.com) or +66 2 844 2026