



Bongkotkan Chumsai Na Ayudhya

Senior Associate

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Languages

- Thai
- English

Education

- LL.M, University of Edinburgh, the United Kingdom
- LL.B, Chulalongkorn University

Profile

Bongkotkan is a senior associate with Kudun and Partners Limited with extensive experience in advising both local and international clients on complex local and cross-border M&A, capital market and securitization, including IPOs, asset management, property funds, REITs, infrastructure funds, and corporate and commercial law. Her expertise extends across multiple industries in the local market as well as in the Indochina region including industrial materials & machinery, energy & utilities, construction services, financial services, petrochemicals & chemicals, and property development.

Areas of expertise

- Corporate and M&A
- Capital market and security law practice, including IPOs, property funds, REITs and infrastructure funds

Professional Experience

- Group Legal Director at KWI Public Company Limited.
- Vice President at United Overseas Bank (Thai) Public Company Limited.
- Senior Associate at Kudun and Partners
- Associate at Hunton Andrews Kurth (Thailand) Limited

Practice Focus

A selection of matters in which Bongkotkan has been involved include:

Corporate, Mergers and Acquisitions and Joint Ventures

- Representing Phelps Dodge International (Thailand) Limited (PDITL), Thailand's leading wire and cable manufacturer on its group's restructuring exercise by way of reverse takeover (backdoor listing) of Siam Inter Multimedia Public Company Limited (SMM) through the entire business transfer transaction by Team A Holding 2 Co., Ltd. (TAH2), a shareholder of PDITL, with the total value of THB 12.9 billion. Through the success of the reverse takeover, SMM successfully submitted its re-listing application and is currently renamed as Stark Corporation Public Company Limited, a holding

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company that invests in electrical cable manufacturing and distribution business.

- Advising and representing Food Capitals Public Company Limited — a rapidly growing consumption business across Asia and listed on the Stock Exchange of Thailand — on the sale of its subsidiaries to its main shareholders via a spin-off. The sale is one of the material conditions for the buyer, PRG Development Company to acquire the client for a backdoor listing.
- Representing Phongsubthavy Roads and Bridges Construction and Irrigation Sole Company Limited (having the local name as ບໍລິສັດ ຜິງ ຊັບທະວີ ກໍ່ສ້າງຂົວທາງ, ເຄຫາສະຖານ ແລະ ຊົນລະປະທານ ຈໍາກັດຜູ້ດຽວ) in relation to a cross-border sale of shares in Nam San 3A Power Sole Company Limited, who owns a hydro power plant of 69 MW in the Lao PDR - the transaction pursuant to a whole share acquisition, with a value of approximately THB 5.3 billion (USD 175.6 million).
- Advising DOD Biotech Public Company Limited, a manufacturer of dietary supplement on its investment in PCCA Laboratory Co., Ltd. which is conducted via the entire business transfer, with an estimated value of THB 297 million/ USD 9.5 million.
- Advising a subsidiary of Nathalin Company Limited, a member of NCP consortium for the submission of bidding proposal for development and operation of the Laem Chabang Port Phase 3 Terminal F Project.
- Advising and representing Watergate Pavillion Company Limited on the sale of a condominium unit, land plots, and other assets with a total value of THB 2 billion/ USD 64.2 million.
- Assisting Taokaenoi Food and Marketing Public Company Limited, a Thai listed company engaging in manufacture of seaweed products for preparation of a standard distribution agreement. The standard distribution agreement will be used for appointment of offshore distributors as distributors of Taokaenoi for sale and distribution of the goods and merchandise with seaweed components Taokaenoi.
- Representing Khonburi Power Plant Company Limited, a subsidiary of Khonburi Sugar Public Company Limited, a listed company engaging in manufacturing sugar, on the establishment of a biomass infrastructure fund, which will invest in the revenue from the sale of electricity under the power purchase agreement with the transaction value of THB 2,800 million/ USD89.8 million (ongoing).

Publications and Presentations

- Legal 500's Comparative Legal Guide for Real Estate Thailand (Legal 500, 2019)
- The In-House Lawyer: Global Guide to Real Estate (2nd edition)