

เอกสารอ้างอิง

เอกสารภาษาไทย

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## **Section 2. General exchange arrangements**

(a) Each member shall notify the Fund, within thirty days after the date of the second amendment of this Agreement, of the exchange arrangements it intends to apply in fulfillment of its obligations under Section 1 of this Article, and shall notify the Fund of any changes in its exchange arrangements.

(b) Under an international monetary system of the kind prevailing on January 1, 1976, exchange arrangements may include (i) the maintenance by a member of a value for its currency in terms of special drawing right or another denominator, other than gold, selected by the member, or (ii) cooperative arrangements by which members maintain the value of the currency or currencies of other members or (iii) other exchange arrangement of member's choice.

(c) To accord with the development of the international monetary system, the Fund, by eighty-five percent majority of total voting power, may make provision for general arrangements without limiting the right of members to have exchange arrangement of their choice consistent with the purpose of the Fund and the obligations under Section 1 of this Article.

## **Section 3. Surveillance over exchange arrangements**

(a) The Fund shall oversee the international monetary system in order to ensure its effective operation, and shall oversee the compliance of each member with its obligations under Section 1 of this Article.

(b) In order to fulfill its functions under (a) above, the Fund shall exercise firm surveillance over the exchange rate policies of members, and shall adopt specific principles for guidance of all members with respect to those policies. Each member shall provide the Fund with the information necessary for such surveillance, and when requested by the Fund, shall consult with it on the member's exchange

rate policies. The principle adopted by the Fund shall be consistent with cooperative arrangement by which members maintain the value of their currencies in relation to the value of currency or currencies of other members, as well as other exchange arrangements of a member's choice consistent with the purpose of the Fund and Section 1 of this Article. This principles shall respect the domestic social and political policies of members, and in applying these principles the Fund shall pay due regard to the circumstance of members.

#### **Section 4. Par value**

The Fund may determine, by eighty-five percent majority of the total voting power, that international economic condition permit to introduction of widespread system of exchange arrangement based on stable but adjustable par value. The Fund shall make the determination on the basis of underlying stability of the world economy, and for this purpose shall take into account price movements and rates of expansion in the economies of members. The determination shall be make in light of the evolution of international monetary system, with particulars references to sources of liquidity, and, in order to ensure the effective operation of a system of par value, to arrangement under which both members in surplus and members in deficit to achieve adjustment, as well as to the arrangements for intervention and the treatment of imbalance. Upon making such determination, the Fund shall notify members that the provisions of schedule C apply.

#### **Section 5. Separate currencies within a member's territories**

(a) Action by member with respect to its currency under this Article shall be deemed to apply to separate currencies of all territories in respect of which the member has accepted this Agreement under Article XXXI, Section 2(g) unless the member declares that action relates either to the metropolitan currency alone or only to one or more specified separate currencies, or to the metropolitan currency and one or more specified separate

currency

(b) Action by the Fund under this Article shall be deemed to relate to all currencies of member referred to in (a) above unless the Fund declares otherwise.



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## Schedule C

### Par Values

1. The Fund shall notify members that par values may be established for the purposes of this Agreement, in accordance with Article IV, Section 1,3,4, and 5 and this Schedule, in terms of special drawing right, or in terms of such other denominator as is prescribed by the Fund. The common denominator shall not be gold or other currency.
2. A member that intends to establish a par value for its currency under 1 above shall propose a par value to the Fund within a reasonable time after notice is given under 1 above.
3. Any member that does not intend to establish a par value for its currency under 1 above shall consult with the Fund and ensure that its exchange arrangements are consistent with the purposes of the Fund and adequate to fulfill its obligations under Article IV, Section 1.
4. The Fund shall concur in or object to a proposed par value within a reasonable period after receipt of the proposal. A proposed par value shall not take effect for the purposes of this Agreement if the Fund objects to it, and the member shall be subject to 3 above. The Fund shall not object because of the domestic social or political policies of the member proposing the par value.
5. Each member that has a par value for its currency undertakes to apply appropriate measures consistent with this Agreement in order to ensure that maximum and minimum rates for spot exchange transactions taking place within its territories between its currency and the currencies of other members maintaining par values shall not differ from parity by more than four and one-half percent or by such other margin or margins as the Fund may adopt by eighty-five percent majority of total voting power.

6. A member shall not propose a change in the par value of its currency except to correct, or prevent the emergence of, a fundamental disequilibrium. A change may be made only on the proposal of the member and only after consultation with the Fund.

7. When a change is proposed, the Fund shall concur in or object to the proposed par value within a reasonable period after receipt of proposal. The Fund shall concur if it is satisfied that the change is necessary to correct, or prevent the emergence of, a fundamental disequilibrium. The Fund shall not object because of the domestic social or political policies of the member proposing the change. A proposed change in par value shall not take effect for the purposes of this Agreement if the Fund objects to it. If a member changes the par value of its currency despite the objection of the Fund, the member shall be subject to Article XXVI, Section 2. Maintenance of an unrealistic par value by a member shall be discouraged by the Fund.

8. The par value of a member's currency established under this Agreement shall cease to exist for the purposes of this Agreement if the member informs the Fund that it intends to terminate the par value. The Fund may object to the termination of a par value by a decision taken by an eighty-five percent majority of the total voting power. If a member terminates a par value for its currency despite the objection of the Fund, the member shall be subject to Article XXVI, Section 2. A par value established under this Agreement shall cease to exist for the purposes of this Agreement if the member terminates the par value despite the objection of the Fund, or if the Fund finds that the member does not maintain rates for a substantial volume of exchange transactions in accordance with 5 above, provided that the Fund may not make such finding unless it has consulted the member and given it sixty days notice of the Fund intention to consider whether to make a finding.

9. If the par value of the currency of a member has ceased to exist under 8 above, the members shall consult with the Fund and ensure that its exchange arrangements are consistent with the purposes of the Fund and are adequate to fulfill its obligations under Article IV, Section 1.

10. A member for whose currency the par value has ceased to exist under 8 above may, at any time, propose a new par value for its currency.

11. Notwithstanding 6 above, the Fund, by a seventy percent majority of the total voting power, may make uniform proportionate changes in all par values if the special drawing right is the common denominator and the changes will not affect the value of special drawing right. The par value of a member's currency shall, however, not be changed under this provision if, within seven days after the Fund's action, the member informs the Fund that it does not wish the par value of its currency to be changed by such action.



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## Surveillance over Exchange Rate Policies

### General Principles

Article 4, Section 3(a), provides that "The Fund shall oversee the international monetary system in order to ensure its effective operation, and shall oversee the compliance of each member with its obligations under Section 1 of this Article." Article IV Section 3(b), provides that in order to fulfill its functions under 3(a), "The Fund shall exercise firm surveillance over the exchange rate policies of members and shall adopt specific principle for the guidance of all members with respect to those policies." Article 4 Section 3(b), also provides that "The principles adopted by the Fund shall be consistent with cooperative arrangements by which members maintain their value of the currencies in relation to the value of the currency or currencies of other members, as well as with other exchange arrangements of a member's choice consistent with the purposes of the Fund and Section 1 of this Article. These principles shall respect the domestic social and political policies of members, and in applying these principles the Fund shall pay due regard to the circumstances of members." In addition, Article IV, Section 3(b), requires that "Each member shall provide the Fund with the information necessary for such surveillance, and, when requested by the Fund, shall consult with it on the member's exchange rate policies."

The principles and procedures set out below, which apply to all members whatever their exchange arrangement and whatever their balance of payments position, are adopted by the Fund in order to perform its functions under Section 3(b). They are not necessarily comprehensive and are subject to reconsideration in the light of experience. They do not deal directly with the

Fund's responsibilities referred to in Section 3(a), although it is recognized that there is a close relationship between domestic and international economic policies. This relationship is emphasized in Article IV which includes the following provision: "Recognizing ... that a principal objective [of the international monetary system] is the continuing development of the orderly underlying conditions that are necessary for financial and economic stability, each member undertakes to collaborate with the Fund and other members to assure orderly exchange arrangements and to promote a stable system of exchange rate."

#### Principles for the Guidance of Members' Exchange Rate Policies

A. A member shall avoid manipulating exchange rate or international monetary system in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other members.

B. A member should intervene in the exchange market if necessary to counter disorderly conditions which may be characterized inter alia by disruptive short-term movements in the exchange value of its currency,

C. Members should take into account in their intervention policies the interest of other members, including those of the countries in whose currencies they intervene.

#### Principles of Fund Surveillance over Exchange Rate Policies

1. The surveillance of exchange rate policies shall be adapted to the needs of international adjustment as they develop. The functioning of the international adjustment process shall be kept under review by the Executive Board and Interim Committee and the assessment of its operation shall be taken into account in the implementation of the principles set forth below.

2. In its surveillance of the observance by members of the principles set forth above, the Fund shall consider the following developments as among those which might indicate the need for discussion with a member:

(i) protracted large-scale intervention in one direction in the exchange market;

(ii) an unsustainable level of official or quasi-official borrowing, or excessive and prolonged short-term official or quasi-official lending, for balance of payments purposes;

(iii) (a) the introduction, substantial intensification, or prolonged maintenance, for balance of payments purposes, of restrictions on, or incentives for, current transactions or payments or,

(b) the introduction or substantial modification for balance of payments purposes of restrictions on, or incentives for, the inflow or outflow capital;

(iv) the pursuit, for balance of payments purposes, of monetary and other domestic financial policies that provide abnormal encouragement or discouragement to capital flows; and

(v) behavior of the exchange rate that appears to be underlying economic and financial conditions including factors affecting competitiveness and long-term capital movements.

3. The Fund appraisal of member's exchange rate policies shall be based on an evaluation of the developments in the member's balance of payments against the background of its reserve position and its external indebtedness. This appraisal shall be made within the framework of comprehensive analysis of the general economic situation and economic policy strategy of the member, and shall recognized the domestic as well as external policies can contribute to timely adjustment of balance of payment. The appraisal shall take into account the extend to

which the policies of the member, including its exchange rate policies, serve the objective of the continuing development of the orderly underlying conditions that are necessary for financial stability, the promotion of sustained sound economic growth, and reasonable levels of employment.

#### Procedures for Surveillance

I. Each member shall notify the Fund in appropriate detail within thirty days after the Second Amendment becomes effective of the exchange arrangements it intends to apply in fulfillment of its obligations under Article IV, Section 1. Each member shall also notify the Fund promptly of any changes in its exchange arrangements.

II. Members shall consult with the Fund regularly under Article IV. The consultations under Article IV shall comprehend the regular consultations under Articles VIII and XIV. In principle such consultations shall take place annually, and shall include consideration of the observance by members of the principles set forth above as well as of a member's obligation under Article 4 Section 1. Not later than three months after the termination of discussions between the member and the staff, the Executive Board shall reach the conclusions and thereby complete the consultation under Article IV.

III. Broad developments in exchange rates will be reviewed periodically by the Executive Board, inter alia in discussions of the international adjustment process within the framework of the World Economic Outlook. The Fund will continue to conduct special consultations in preparing for these discussions.

IV. The Managing Director shall maintain close contact with members in connection with their exchange arrangements and exchange policies, and will be prepared to discuss on the initiative of a member important changes that it contemplates in its exchange arrangements or its exchange rate policies.

V. If, in the interval between Article 4 consultations, the Managing Director, taking into account any views that may have been expressed by other members, considers that a member's exchange rate policies may not be in accord with the exchange rate principles, he shall raise the matter informally and confidentially with the member, and shall conclude promptly whether there is a question of the initiate and conduct on a confidential basis a discussion with the member under Article 4 Section 3(b). as soon as possible after the completion of such a discussion, and in any event not later than four months after its initiation, the Managing Director shall report to the Executive Board on the result of the discussion. If, however, the Managing Director is satisfied that the principles are being observed, he shall informally advise all Executive Directors, and the staff shall report on the discussion in the context of the next Article 4 consultation; but the Managing Director shall not place the matter on the agenda of the Executive Board unless the member requests that this procedure be followed.

VI. The Executive Directors shall review annually the general implementation of the Fund's surveillance over members' exchange rate policies.



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**Article IV**  
**Par Values of Currencies**  
**(Before Second Amendment)**

**Section 1. Expression of par values**

(a) The par values of the currency of each member shall be expressed in the term of gold as a common denominator or in terms of the United States dollar of the weight and fineness in effect on July 1, 1944.

(b) All computations relating to currencies of members for the purpose of applying the provisions of this Agreement shall be on the basis of their par values.

**Section 2. Gold purchases based on par values**

The Fund shall prescribe a margin above and below par value for transactions in gold by members, and no member shall buy gold at a price above par value plus the prescribed margin, or sell gold at a price below par value minus the prescribed margin.

**Section 3. Foreign exchange dealings based on parity**

The maximum and minimum rates for exchange transactions between the currencies of members taking place within their territories shall not differ from parity

(i) in the case of spot exchange transactions, by more than one percent;and

(ii) in the case of other exchange transactions, by a margin which exceeds the margin for spot exchange transactions by more than the Fund considers reasonable.

#### Section 4. Obligation regarding exchange stability

(a) Each member undertakes to collaborate with the Fund to promote exchange stability, to maintain orderly exchange arrangements with other members, and to avoid competitive exchange alterations.

(b) Each member undertakes, through appropriate measures consistent with this Agreement, to permit within its territories exchange transactions between its currency and the currencies of other members only within the limits prescribed under Section 3 of this Article. A member whose monetary authorities, for the settlement of international transactions, in fact freely buy and sell gold within the limits prescribed by the Fund under Section 2 of this Article shall be deemed to be fulfilling this undertaking.

#### Section 5. Changes in par values

(a) A member shall not propose a change in the par value of its currency except to correct a fundamental disequilibrium.

(b) A change in the par value of a member's currency may be made only on the proposal of the member and only after consultation with the Fund.

(c) When a change is proposed, the Fund shall first take into account the changes, if any, which have already taken place in the initial par value of the member's currency as determined under Article XX, Section 4. If the proposed change, together with all previous change, whether increases or decreases,

(i) does not exceed ten percent of the initial par value, The Fund shall raise no objection,

(ii) does not exceed a further ten percent of the initial par value, the Fund may either concur or object, but shall declare its attitude within seventy-two hours if the member so requests,



(iii) is not within (i) or (ii) above, the Fund may either concur or object. but shall be entitled to a longer period in which to declare its attitudes.

(d) Uniform changes in par values made under Section 7 of this Article shall not be taken into account in determining whether a proposed change falls within (i), (ii), or (iii) of (c) above.

(e) A member may change a par value of its currency without the concurrence of the Fund if the change does not affect the international transactions of the members of the Fund.

(f) The Fund shall concur in a proposed change which is within the terms of (c)(ii) and (c)(iii) above if it is satisfied that the change is necessary to correct a fundamental disequilibrium. In particular, provided it is so satisfied, it shall not object to a proposed change because of the domestic social or political policies of the member proposing the change.

#### **Section 6. Effect of unauthorized changes**

If a member changes the par value of its currency despite the objection of the Fund, in case where the Fund is entitled to object, the member shall be ineligible to use the resources of the Fund unless the Fund otherwise determines; and if, after the expiration of a reasonable period, the difference between the member and the Fund continues, the matter shall be subject to the provisions of Article XV Section 2(b).

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## Section 7. Uniform changes in par values\*

Notwithstanding the provisions of Section 5(b) of this Article, the Fund by an eighty-five percent majority of the total voting power may make uniform proportionate changes in the par values of the currencies of all members. The par value of a member's currency shall, however, not be changed under this provision if, within seventy-two hours of the Fund's action, the member informs the Fund that it does not wish the par value of its currency to be changed by such action.

(\* Section 7 as published was revised by the First Amendment. The original language is:

"Notwithstanding the provisions of Section 5(b) of this Article, the Fund by a majority of the total voting power may make uniform proportionate changes in the par values of the currencies of all members, provided each such change is approved by every member which has ten percent or more of the total of the quotas. The par value of a member's currency shall, however, not be changed under this provision if, within seventy-two hours of the Fund's action, the member informs the Fund that it does not wish the par value of its currency to be changed by such action.

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จุฬาลงกรณ์มหาวิทยาลัย

## ประวัติผู้เขียน

นางสาวฉันทิพย์ รัตนสุนิล เกิดที่จังหวัดกรุงเทพมหานคร เมื่อวันที่ 22 ตุลาคม 2509 สำเร็จการศึกษานิติศาสตรบัณฑิต จากจุฬาลงกรณ์มหาวิทยาลัยในปีการศึกษา 2530 เข้าศึกษาในภาควิชานิติศาสตร์บัณฑิตวิทยาลัย จุฬาลงกรณ์มหาวิทยาลัย ในปีการศึกษา 2531 ปัจจุบันทำงานในตำแหน่งเจ้าหน้าที่วิเคราะห์และวางแผนภาษีอากร ฝ่ายภาษีอากร บริษัทเอสไอแอสตูดาร์คประเทศไทยจำกัด



ศูนย์วิทยุทรัพยากร  
จุฬาลงกรณ์มหาวิทยาลัย