



# Chai Lertvittayachaikul

Partner

T: +66 2 838 1750 ext. 1752

E: [chai.l@kap.co.th](mailto:chai.l@kap.co.th)

### Languages

- Thai
- English

### Education

- LL.M, Chulalongkorn University, Thailand
- LL.B (Honors), Thammasat University, Thailand

### Professional Qualifications

- Barrister-at-Law, the Thai Bar Association

[www.kudunandpartners.com](http://www.kudunandpartners.com)

Kudun and Partners  
23rd Floor, Unit C and F,  
Gaysorn Tower  
127 Ratchadamri Road,  
Lumpini, Pathumwan  
Bangkok, 10330, Thailand

### Profile

Chai has over 13 years of experience in advising both local and international clients on a broad range of matters, including mergers and acquisitions, private equity investments, joint ventures and consortium arrangements, foreign direct investments including applying for investment promotion benefits with the Board of Investment (BOI), regulatory and licensing matters, real estate acquisitions as well as capital market and securities transactions.

Chai also has significant experience in devising and implementing optimum transaction structures for both Thai and foreign clients in respect of their investments in Thailand and throughout Southeast Asia. His expertise extends across multiple industries, including manufacturing, transportation, real estate, and telecommunications. He is particularly adept in the renewable energy sector; having successfully executed major M&A transactions and IPOs in the areas of solar, biomass, and wind energy projects.

### Areas of Expertise

- Corporate and M&A, including acquisition and disposal of assets and equity interest
- Foreign direct investment, including foreign business law and investment promotion law
- Capital markets and securitization including equity offerings
- Real estate, REITs and property funds

### Professional Experience

- DFDL Mekong (Thailand)
- Hunton & Williams (Thailand)
- Herbert Smith (Thailand)

### Practice Focus

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

#### Corporate and M&A

- Representing CAT Telecom, one of the largest Thai telecommunication firms on its business expansion into the satellite industry by way of a joint venture with a satellite operator, Thaicom

operating a satellite management business under the concessionaire with the Ministry of Transport.

- Representing Private Equity Trust for SME Growing Together 1 in connection with its investment in a company manufacturing rubber products and forming a joint venture between the existing shareholders and the new shareholder.
- Representing Private Equity Trust for SME Growing Together 1 in connection with its investment in a company manufacturing healthy products and forming a joint venture between the existing shareholders and the new shareholder.
- Representing Prima Marine Public Company Limited, a Thai listed company operating in marine transportation and storage of petroleum products services on the acquisition of 100% shares in a private limited company operating the same sector including advising on competition law issues, for an aggregate consideration of THB 1,700 million (USD 54.6 million).
- Representing B. Grimm Public Company Limited, a Thai listed company engaging in the energy section (generating and selling electricity and steam), as the lead counsel in connection with its outbound investment through an acquisition of 80% shares in a project company operating a solar power plant project with 257 Megawatt in Phu Yen province, Socialist Republic of Vietnam with a total investment amount of approximately USD 35.2 million.
- Representing B. Grimm Public Company Limited, a Thai listed company engaging in the energy sector (generating and selling electricity and steam) as the lead counsel in connection with its outbound investment through an acquisition of 55% shares in a project company, operating a solar power plant project with 420 Megawatt in Phu Yen province, Socialist Republic of Vietnam with a total investment amount was around THB 1,130 million (USD 36.3 million).
- Representing Chewathai Public Company Limited, a Thai listed company engaging in real estate development sector, for the acquisition of Aria Asoke, a condominium project located in a prime location in Bangkok from AQ Estate Public Company Limited, with a deal value of THB 584 million (USD 18.7 million).
- Representing TIME dotCom International Sdn Bhd - a subsidiary of a Malaysian listed company for acquisition, through a partial voluntary tender offer, of the of 38.75 percent of the issued share capital of Symphony Communication Public Company Limited, with an approximate total value of THB 1,540 million (USD 49.4 million).
- Representing Taokaenoi Food and Marketing PCL, a Thai listed company engaging in the manufacture of seaweed products in connection with advising and preparing a standard distribution agreement, which will be used for the appointment of offshore distributors as distributors of Taokaenoi for sale and distribution of the goods and merchandise of Taokaenoi.

- Representing BG Container Public Company Limited, a Thai listed company, as the lead counsel for outbound investment in the energy section through an indirectly acquisition of 67% shares in a project company, operating a solar power plant project with 100 Megawatt in Phu Yen Province, Socialist Republic of Vietnam, with a deal value of THB 1,250 million (USD 40 million).
- Representing B. Grimm Power – Energy China Consortium — a consortium consisting one of the largest public listed power generating companies in Thailand and an entity under direct supervision of the “State-Owned Assets Supervision and Administration Commission of the People Republic of China” — in connection with the preparation and submission of documents for the bidding of the Floating Solar Power Plant for Sirindhorn Dam Hydro-Floating Solar Hybrid Pilot Project with a capacity of 45 megawatts to the Electricity Generating Authority of Thailand (EGAT) and reviewing and commenting on the contract entered between the consortium and EGAT.
- Representing TBSP Public Company Limited, a Thai listed company operating in a media & publishing business, on disposal of its current documents and tape storage business to Iron Mountain (Thailand) Company Limited with the transaction value of THB 162.3 million (USD 5.2 million).
- Representing Private Equity Trust for SME Growing Together 2 in connection with its investment in an SME business operating a bread and bakery business with the investment amount of THB 100 million (USD 3.2 million).
- Representing one of the largest public listed power generating companies in Thailand on the acquisition of shares in a project company and negotiation of the transaction agreement including an engineering procurement and construction contract for developing and constructing the 36MW offshore wind power in Gangwon Province, South Korea with the transaction value of USD 85 million (ongoing).
- Representing one of the largest public listed power generating companies in Thailand on the acquisition of shares in project companies operating (i) the 50MW solar power plant in Dak Lak Province, Vietnam and (ii) the 100MW solar power plant in Ninh Thuan Province, Vietnam (ongoing).

#### **Capital Market**

- 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).
- Representing various public limited companies for issuance of the debenture for offering to the high net worth investors and financial institutions as well as preparation of the terms and conditions among

the public limited companies and the debenture holders i.e. SGF Capital Public Company Limited, Meta Corporation Public Company Limited, Nusasiri Public Company Limited, etc.

**Publications and Presentations**

- Co-author of the article “Sending work-related information to personal email account: a fast track to the firing-line” in the Human Resource Watch section of the Bangkok Post newspaper, September 2020