

## ABSTRACT

Thesis Title : The Means to Insure the Legality of Administrative  
Orders in Compliance with Immigration Act B.E.2522

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Due to the political, economic and social problems faced in many regions which cause citizens of one state to attempt to elude suppression in their homelands by moving their domiciles into Thailand, the Kingdom has issued legal measures to control and eliminate the presence of certain types of undesirable aliens. Such measures currently have divergent legal and practical standards in their application.

In Thailand, the agency responsible for this problem is the Office of National Police. This agency is charged with the direct responsibility of enforcing Thai immigration law, as well as controlling and inspecting vehicles and persons who enter or leave the Kingdom of Thailand. The office is also required to control and supervise immigration by detecting, arresting and taking legal action against foreigners who violate Thai immigration law, including the extradition of non-nationals after judicial actions have been taken. In addition, the office must consider practical discipline to comply with legal provisions, as well as government policy regarding internal security. Since the inception and application of Thai immigration law, there have been

several amendments to the law as circumstances have demanded, including the Immigration Act B.E.2522 which empowers the immigration office with wide authority to issue administrative orders, including guidelines for appeal against an issuing official, as well as orders regarding alien status, prohibition of entry by specific persons into Thailand, revocation of residence privileges for aliens who temporarily live or reside in the Kingdom and orders prohibiting entry into the country.

Through this study it was found that there are insufficient means to ensure the legality of administrative orders in compliance with Immigration Act B.E.2522. The criteria prescribed to the state to guarantee justice and a standard of practice is actually lower than that prescribed by the Administrative Practice Procedure Act B.E.2539, which enables the official who issued the administrative order to abuse his discretion. This thesis has been conducted to study, consider and propose improvements to insure the legality of the issuance of administrative orders according to the Immigration Act B.E.2522 in order to provide a balance between protecting the rights of aliens entering and residing in the Kingdom with the interests of the nation as a whole.