

ABSTRACT

Thesis Title : The unfair compensation following the Protection for motor vehicle accident victims act BE 2535 : The study in case of there is an injury caused by a motor vehicle to the victim but which motor vehicle causes such injury is not know

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Degree Sought : Master of Laws

Academic Year : 1998

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The Protection of motor vehicle accident victims act BE. 2535 has the same perspective as the Social Security because the purpose is to give protection to the victim of car accidents using the basic system of Social Security groups, so that only the persons who respect the rules of the contract have the right to touch a payment or compensation following the rules

If there is no one who pays, the government will pay the preliminary compensation the victim

After the law has been approved and implemented for a period of time we found out that this law was not perfect and had to be improved. Especially the case of the preliminary compensation for the victim, paid by the Victim Compensation Fund, is not fair because in case of "Damage for the victim

caused by a car accident, but we can not prove which car caused. The accident the victim only receives a preliminary payment which is a low compensation, but the victim cannot ask anymore because nobody knows who is responsible.

After the inquiry of the victim in case of "Damage for the victim but we cannot prove which car caused the accident" the victim can receive compensation from the Victim Compensation Fund only. In contrast with the victim that has had damage with an assured car. That person can receive the preliminary compensation and if the damage exceeded the preliminary compensation, the victim can ask. The assurance company to pay the amount that the assurance company is assured for. After this, we can see that the perspective of the law "The Protection for motor vehicle accident victims act B.E 2535" that wants to protect all the victims in any case of car accident, can not reach its goals. Because of these reasons we have to improve this law again.

The Victim Compensation Fund of the government has to take care and settle the inaccuracies for the victims in case of "Damage for the victim but we can not prove which car caused the accident" so that these inaccuracies do not exist any more. In the same time the Protection for motor vehicle accident victims act B.E. 2535 has to be improved to bring justice to the people.