

## ABSTRACT

Thesis Title : Problem in Controlling Competition in the Case of Government Procurement Under the Rule of the Office of Prime Minister on Procurement, B.E. 1992

Student's Name : Mr. Poramase Sungiam

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Advisory Committee :

1. Dr. Songkhla Vijaykadga Chairperson
2. Asst. Prof. Dr. Khuanchai Santaswang

The objective of this research is to analyze problem in controlling competition in cases of government procurement under the rule of the Office of Prime Minister on Procurement, B.E. 1992, in particular, in pricing investigation and bidding, as well as adhering to principles of fair competition. Clearly, the current method has led to corruption involving authorizers. Practically speaking, such corrupt behavior, emanating from the head, who possesses authority in the state unit, as well as the related, authorized minister, has resulted in loss of benefits from annual, government, financial payment.

Documentary research was the method utilized for this study. The primary approach focused on the characteristics of the state official's authority on relevant regulations and is used to point out the loopholes available in the system of annual government financial payment, including analysis and resolution of these problems.

The results of the research are as follows:

1. The government should establish control of hiring and purchasing mechanics to ensure transparency by establishing standard criteria, as well as an independent organization to efficiently investigate topics such as;

1.1 Specification, preliminary qualification and the median price.

1.2 Public announcement and the standard price.

1.3 The selection process.

1.4 Contracting.

1.5 Checking the qualification of materials.

1.6 Monitoring contract offers.

2. Define the process for appeal in cases of the incorrect hiring or purchasing and permit any person a request of injunction of the procedure until the completion of investigation into wrong-doing.

3. Development of personnel in order to facilitate expertise in the area of hiring and purchasing, in order to ensure the provision of quality materials.

4. Amend, the current procedure, especially elucidating the mechanical aspects so as to control and investigate every stages on the hiring and purchasing process. In addition, to upgrade the regulations of the Office of Prime Minister on Procurement B.E. 1992 as the code for national enforcement.

5. Pass a special law to punish those who directly and indirectly are involved in hiring and purchasing corruption and anyone who diminished government benefits, which should rightfully accrue from such procedures.

In conclusion, the government should not only establish to for investigation of the of the disbursement of the annual finance payment on hiring and purchasing before and after the contract, but should also elucidate the responsible benchmark of state officials, including set guidelines for the measure of punishment of contracting parties who have abandoned hiring and purchasing obligations and have acted in bad faith.