

## ABSTRACT

Thesis Title : Improvement of Land Law Relating to the  
Distribution of Land

Student's Name : Mr. Anuwat Mhodprink

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Advisory Committee :

1. Assoc. Prof. Phadungsakdi Noranitphadungkarn      Chairperson
2. Assoc. Prof. Permboon Kaewkiew
3. Mr. Suchat Mongkollertlop

Announcement No.49 of the Revolutionary Council, dated January 13, B.E.2502, in the time of then Prime Minister, Field Marshall Sarit Thanarat, cancelled the restriction on the right of the Thai citizen to unlimited possession of land as provided in Part 3, Sections 34-49 of the Land Code B.E.2497. Consequently, this announcement currently allows Thai citizens to hold an unlimited amount of land. As a result, a great number of problems have developed, including; intrusion into forest lands, lack of cultivated land for citizens, problems related to leasing of land, as well as a bubble economy arising from land price speculation.

The change in the nature of land possession in Thailand coupled with the economic crisis, indicates that it is an appropriate time to reevaluate and amend the law relating to land possession so that it is congruent with national policy and property rights according to the Thai Constitution B.E.2540. In addition, it is a method to support a self-sufficient economy as espoused by His Majesty the King. As a result, the state should control and limit land possession by directly and indirectly amending

the law in order to distribute possession of land to the majority of people and to give protection to agricultural land areas, which are the basis of the Thai economy. To this end, the following measures are proposed:

1. Direct measures to control land possession can be realized by limiting the right in land possession in specific usage zones, for example, for agricultural uses, not more than 50 Rai, for industrial uses, not more than 25 Rai, for residential use, not more than 5 Rai. In addition, there should be provisions expressing the scope of land utilization in each locality. The state should also maintain control of any alteration of rights in land, control of proceedings that grant land possession in excess of legal limits and the disposal of land in excess of legal limitations, including the nonretroactivity of law for land possession.

2. Indirect measures for the control of land possession include collection of taxes and fees relating to land, such as taxes for land possession and transfer of title, with the emphasis on land distribution rather than revenue generation.