

ABTRACT

Thesis Title : Resale Price Maintenance: Anti-Monopoly Law

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Degree Sought : Master of Laws

Academic Year 1996

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The subject of this thesis concerns the ways to modify the Anti-Monopoly Law to solve the problems of the economy.

These problems have arisen from the behaviour of private entrepreneurs (Who are either manufacturers or suppliers) distributors, dealers or retailers in maintaining a resale price. The resale price is being maintained due to the distribution system which favours the manufacturers or suppliers fixing or maintaining the price. This has created monopolies in the distribution system and restricted trade.

According to the Economic Theory the customer will receive the maximum benefits when there is perfect competition in the market. However, from my studies, It will be seen that when entrepreneurs maintain resale price, It has an effect of stopping competition among distributors especially competition in price. Because the price at every

level has been fixed in advance by the suppliers. Therefore, when there is no competition in the market, the consumers lose out because they must pay the higher prices that have been fixed by suppliers. They have no choice.

The Price Fixing and Anti-Monopoly Act B.E.2522 is the law which is currently being used and has been for the last 18 years. However upto now it has only ever been used concerning price fixing it has almost never been used concerning the enforcement of the Anti-Monopoly part. This can be seen from the minutes of the Price Fixing and Anti-Monopoly Committee which announced only once that the ice business is a business to be controlled because the ice business had a cartel that controlled the amount produced and the price it was to be sold. However, after the committee made the announcement that this business was to be controlled, the solution used to solve the problem of the ice cartel mostly came from the Price Fixing Part of the law. The Committee did not use the Anti-Monopoly Part of the law to punish the cartel eventhough there were no exceptions to the enforcement in the law.

Since then the Anti-Monopoly Part of this law has never been enforced.

The Price Fixing and Anti-Monopoly Act B.E.2522 is not sufficient because there are a lot of problems and difficulties in enforcing this law. The procedure of this law is neither suitable nor consistent with the economy

that is continually changing. Therefore the procedures of this law cannot be used since they are insufficient.

Therefore this thesis analyses the law procedure and also the relevant authorities which are involved in the Price Fixing and Anti-Monopoly Act B.E. 2522, to find ways to improve its efficiency. Especially concerning the Anti-Monopoly part so that the market will start to be competitive, introduce free trade and protect consumers.