

ABSTRACT

Thesis Title : An Analysis of the Procedures
Governing Appeals Committees for
Expropriation Compensation

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The Appeals Committee, created under Act B.E. 1987, for expropriation needs to be changed to allow for greater impartiality.

Current awards are generally below market level, and do not suitably compensate those involved. Furthermore, as the appeals committee is free, participants are generally more willing to wait for its opinions, than appeal to the court system.

My study reveals that there are not strict guidelines used by the ministry when appointing committee members, and therefore the awards are not consistent. This inconsistency is furthered by the relative omission of standards for evaluating land values in the act. Furthermore, this inequity violates

the present constitution, as the unequal and sometimes partial valuation of awards is certainly unconstitutional.

Therefore, the writer has submitted this thesis in an effort to solve these aforementioned problems. Subsequently this thesis will propose the creation of a special organization with consistent guidelines, which will evaluate expropriation, and make recommendations based upon these fair and impartial guidelines. Furthermore, the members of this committee will be chosen based upon their expert abilities.

1. General experts;
2. Experts from the government sector;
3. Experts from the private sector.

These experts have greater ability to evaluate quickly and fairly the proper amount of compensation to be awarded. Alternatively, some form of government standards as previously described must be introduced to ensure greater fairness in expropriation.