

C870282 : MAJOR LAW

KEY WORD: COMPUTER CRIME / DATA SECURITY

LERTCHAI SUTHAMPORN : COMPUTER CRIME : A STUDY ON DATA SECURITY.

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The aim of this thesis is to find out whether the laws with criminal punishments currently enforced in Thailand can cover the computer crime committed through information technology (IT). The document research is used to answer the said question.

Result getting from this research is that, no specific laws have been applied to place punishment on computer criminals. Whenever the computer crime was committed, the government agencies involved tried to consider it as the criminal case under the Criminal Code or as the other offense stipulated in the other similar Act. However, the problem on interpretation erupted. For example, when the data was not interpreted as the property, the criminal could not be punished with the charge of taking by stealth under the Criminal Code's Article 334 or of criminal damage under the Criminal Code's Article 358.

The United States of America ordained the computer crime law to take legal action against the computer criminals. In this law, three major offenses are stipulated : Unauthorized Access, Alteration and Damage or Destruction. In Great Britain, the computer crime law was also enforced with the following major offenses being included : Unauthorised Access, Unauthorised Access with Intent to Commit or Facilitate Commission of Further Offences and Unauthorised Modification.

In Thailand, IT has been used in almost all activities for the country development. However, the use of IT for committing criminal offenses has to be under close watch and consideration. Since the present law cannot be enforced to cover such offenses and is not efficient, the same computer crime law as in the United States and Great Britain should be ordained to tackle the aforementioned problems and obstacles.

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