

Ittipol Tassana : Regulatory Power Of Local Administration.

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The power to make local administration rules is the power of rule making for enforcement in local areas, and is the power delegated by the state for public services, to respond to the collective needs of the local people and to lighten the burden of the state, which has a heavy burden in making public services to respond to the collective needs of the people all over the country.

The method of delegation local administrations to make such rules is done by laws, which can be classified into 2 categories, firstly : the power to make by virtue of local administration establishment laws, which concerns the operation in accordance with power and duties and general operations required by the laws to be made rules, and the power to issue rules in the case of specific laws empower so from case. Local rules, therefore, have the status of a subordinate law and are regarded as an administrative act which is obliged to the principle of legitimacy of an administrative act the legitimacy of which must be controlled by the relevant organizations, i.e. power of supervision exercise organizations, judiciary organization and special organizations established under the constitution.

The power of providing local administrative regulation is the enforcement power within local areas. This local administrative organization In addition a state. The interfering of the power to provide local regulation, The problem from the legal structure that caused an uncertainty to provide local regulation and the local regulation is not as widely known as it should

To the said problem, the writer has a recommendation for these solutions as follows : to the first problem, by limiting the role of exercising the power of supervision of the person who has the power to supervise from approving local rules to merely acknowledging the issuance thereof. However if sees that such local rules are not lawful, he shall have the power to enter an action before the Administrative Court for an order of revocation. To the second problem, the role of the central administration in assigning tasks to local administrations should be limited. To the Last problem, there should be a central law for prescribing the procedure of the promulgation of local rules, i.e. the provisions of each category of local administrations scattering in the local administrations establishment laws but having common characters should be collected to consider making a Local Code

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