

WIRACH MEK-ARUNOTHAI : MEASURES FOR REHABILITATION OF DRUG UNDER  
SECTION 49 OF THE PENAL CODE. THESIS ADVISER : PROF. MATTAYA  
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Of all the measures for rehabilitation of drug, section 49 of the penal code is the measure of security emphasizing rehabilitation of drug addicts rather than punishment. Based on Social Defence Theory, it aims at safeguarding the society as well as preventing potentially dangerous drug addicts from committing any offence. Yet, in practice, the execution of the measure has encountered some problems.

The important problems arisen from the enforcement of rehabilitation measures of the section 49 is that the provision of this section overlaps with that of section 56 which is another measures for rehabilitation of drug. Short of the elaboration, the provision under section 49 is quite vague, hence, makes the enforcement measure impossible by the reason of law. As a result, lawyers tend to regard it as important, thus, reject the execution of this measure. In order to prevent drug addicts against commission of an offence, the state must legislate the provision of this measure clearly, doing so will eventually make the enforcement measure possible.