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: MAJOR LAWS

KEY WORD

: TAX/CORPORATE REORGANIZATION

PEANGPANOR BOONKLUM : TAX PROBLEMS ON CORPORATE REORGANIZATION. THESIS ADVISOR : ASSO. PROF. THITIPAN CHUABOONCHAI. THESIS CO-ADVISOR : LECTURER PIPHOB VERAPHONG. 250 pp. ISBN 974-581-717-1.

This thesis's objective is to study certain tax problems resulting from cases of corporate reorganization which are practical or of interest in Thailand. The 3 main cases of reorganization are 1. Acquisition, with 3 minor cases ie. (1) stock acquisition (2) asset acquisition and (3) business acquisition, 2. Amalgamation, and 3. Corporate reorganization with respect to capital, with 2 minor cases ie. (1) increase of capital by issuing stock dividend, and (2) decrease of capital.

The method of analysis was research and the compilation of data in the form of documentary research. The study utilized the Description and Analytical Method. The study and the research were based upon relevant Thai tax law, the Revenue Code and other Thai legislation, including the Civil and Commercial Code, as well as legal commentaries, journal articles and official rulings by the Revenue Department. For the principles of foreign law and foreign court judgements, the author used U.S. law because that country is in an advanced stage of development in respect of corporate reorganization and tax laws thereon.

It is found from the study and research that Thai tax laws do not provide sufficient encouragement or support for corporate reorganization in cases where the purpose is to enhance the corporate organization or business prospects. The author has therefore proposed that current tax laws be amended in order to eliminate the existing problems and obstacles in respect of taxation this can be done by applying certain concepts in the taxation laws of the United States, as appropriate.