

Abstract

Air transportation is one of the most popular mass transit systems. In addition, Thailand has a free trade and service policy under the WTO Agreement and also the ASEAN Single Aviation Market and Regional Air Services Arrangements with Dialogue Partners. This has supported the rapid growth of the Thai aviation services. Moreover, the increase in the number of aviation entrepreneurs and the increased freedom to start airlines has considerably enhanced the opportunity of passengers to choose from a variety of airlines. Such aforesaid developments initiated competition and investments in the air travel industry and also led to cheaper costs. Ultimately, it was the origin of the low-cost airlines in Thailand.

A low-cost airline business emphasizes economical factors and cost saving measure such as saving on food and wages, as well as the strategy of using secondary airports. These airports are not completely utilized and do not serve to lower costs for airlines and passengers as is done in the EC or the US. The low-cost airline business in Thailand is not as successful as in the EC or the US.

There are more than 55 million airline passengers per year in all the Thai airports; and this is tending to increase, with 103 domestic and international flights for the passengers to select from. So, air transportation creates a large amount of income for this country.

The US, the EC and Canada have launched rules to indicate the airline service standard; and Thailand can be ranked as one of the four countries who legislate laws to prescribe indemnifying passengers. Those other three countries have updated the rules continuously. However, these rules are still limited in Thailand.

This thesis focuses on a comparison between the law of the EC and the US that prescribe

Indemnifying passengers to those contemporary Thai laws. It is found that there are 5 issues to be improved as follows:

1. The ambiguity of advertising which will cause misunderstanding, should be avoided by indicating of the net sales price. Any additional conditions should be clearly indicated. In addition, penalties for any violations of these prescribed service standards should be mandated, and the penalties should be equally enforced for both conventional and low-cost airlines.

2. The aviation regulation enforcement for the prescription of indemnifying passengers for domestic flights, announced on 6th December 2007, should be effective equally for every airline and every commercial flight.

3. The responsibility of airlines in the event of denied boarding, cancellation of flights, or long time delays of departure or arrival as declared in the flight schedule. The delays of departure or arrival should be determined as two hours late or more.

4. The responsibility of the airlines to refund total flight fares or other charges should be clearly indicated ; and the period of the return should be 14 days since the damage occurred. This is a reasonable length of time allowing the airline to manage accounts without forcing passengers to wait too long time.

5. A bureau to protect passenger consumers should be founded, using the “UK Air Transport Users Council under control by UK Civil Aviation Authority : CAA” or the “US Advisory Committee for Aviation protection” implementation as a guideline. This is to upgrade the airline service standard to be equal to the developed countries’ standard.