

ABSTRACT

The objective of this thesis is to study legal measures in controlling water pollution caused by factories, which has long affected the quality of public water sources and the quality of life of the population. Thailand has been working on both policy and legal measures to combat the problem. Several relevant legislations and responsible organisations empowered by those laws have been established. However, the problem persists and is growing. This indicates that there are some obstacles that render all the exiting measures ineffective.

The study shows that two acts have been enacted to control discharging from industries; the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 and the Factories Act B.E. 2535 including their subordinate legislations. These water pollution control legislations prescribe a variety of measures to manage pollution from industrial discharge from the beginning to the end of production process, for example, regulating pre-testing, setting effluent standards from point sources, designating competent administrators in controlling water pollution, and driving inducement in water pollution reduction. In this thesis, the author divides those legal measures into 3 types; legal measures for prevention, for controlling and for conservation of water pollution from industries.

However, there are some problems arising from management of water pollution for industrial discharge measures, which are the conflict of state policies between industrial development and industrial effluent control, the ambiguity and loopholes of legislations, the limitation of competent authorities, the delay of issuance of subordinate legislations, the lack of public participation, the legal enforcement, the legislation redundancy, and the readiness of local administrations to conform with decentralization plan.

By taking water quality around factory areas into account, the author proposes in this thesis that the state sets strict factory permit regulations in all types purposing to a

better living quality of citizens by having clean water for utilizing and drinking and urges the relevant organizations to enforce the compliance with the laws strictly by integrating policies of each organizations to reduce the redundancy and increase the effectiveness of the policies. Furthermore, the amendment to the existing laws to be consistent with the current troubles, improving competency of local administrations and promoting public participation in controlling water pollution from industrial sources should also be taken into consideration for the best effectiveness and efficiency in managing industrial discharge.