

Abstract

Determination of foreigner's right over the land is designed to determine or limit acquisition of the right over the land by the foreigner since the land is universally deemed significant either in terms of economy, society and nation security. If the foreigner's right over land is not determined, the boundless acquisition of the right over land will surely ensue. This scenario will inevitably trigger many problems. On the other hand, the right acquisition of land by the foreigner somehow domestically favours. Acquisition of land by foreigner leads to money injection and investment which will be articulated within the economy system especially the real estate sector. As a result, when the good and worst, in relation to give the opportunity to the foreigner having the right over the land was considered, each country had been developed the systems used for determination of foreigner's right over the land, through any legal measures such as determination type of foreigner measure, determination area of land measure and others in which determined for effecting of desideratum to give the opportunity to the foreigner having the right over the land.

As the legal measures used in the different way in each countries, there are incurred the different types of giving the opportunity to the foreigner having the right over the land in which implement the legal measures to absolutely restrict the foreigner having the right over the land or, in the contrary, the legal measures is used for only controlling and, the last, the legal measure is used for approval in some case as the exception.

In the event of Thailand, also using the legal measures, provided that it is type of giving the opportunity to the foreigner having the right over the land in some case as the exception from the main of un-approval, that Thailand as the country is the destination for having the right in immoveable property, especially the land, of the many foreigners since Thailand as the country in which be appropriated for operation the business and private of investment and travel. In the current, but, there are some problems in which may be considered that the determination of foreigner's right over the land is effective or not since there are foreigners using some way to avoid the rule to having the right over the land so there are some effective as the land, economy and security have been controlled by the foreigner. As the comparing researching, it founds Thailand is the country using be a good condition to restrict the foreigner's right over the land but some measures using in the current have the unclear formation and uncover so that the foreigner is able to use such way to avoid the act in which having the right over the land in Thailand. As a result, for giving the opportunity to the foreigner having the right over the land as accurate legal and having the best benefit for Thailand, the writer have combined the advisory the solution ways for resolve the problem, including present that the government way how to encourage and support the foreigner having the right over the land for encouragement investment and developing the investment of economy of Thailand.