

<b>THESIS TITLE</b>	LEGAL PROBLEMS ON APPEALING PROCEEDINGS AND COMPLAINT OF THE GOVERNMENT SERVANT OF THE OFFICE OF THE NATIONAL ANTI-CORRUPTION COMMISSION
<b>KEYWORD</b>	APPEALING PROCEEDINGS AND COMPLAINT OF THE GOVERNMENT SERVANT OF THE OFFICE OF THE NATIONAL ANTI-CORRUPTION COMMISSION
<b>STUDENT</b>	NIPAPORN PUNYA
<b>THESIS ADVISOR</b>	ASST. PROF. DR. PORNCHAI LUERNSHAVEE
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<b>FACULTY</b>	FACULTY OF LAW SRIPATUM UNIVERSITY
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#### **ABSTRACT**

The objectives of the thesis were to study a background, basic information, concept, principles and theories of public law relating to the appealing procedure and complaint of a government servant of the office of the National Anti-Corruption Commission and to study the legal procedure regarding the ethics maintaining system of civil servants in overseas and Thailand as well as to study and analyze a problem regarding the appealing and complaint of a government servant of the office of the office of the National Anti-Corruption Commission. In addition, to give a recommend on solving a problem regarding the appealing and complaint of a government servant of the office of the National Anti-Corruption Commission in order to solve the arising problems proficiently, correctly and appropriately under the principles of law and to constitute the fairness of the ethics maintaining system of the servants and employees of the office of the National Anti-Corruption Commission sustainably and continuously.

On the basis of the results of this research, it can be concluded that the applicable Organic Act on Counter Corruption B.E 2542 and the applicable rule of the National Anti-Corruption Commission on personal management of the office of NACC, B.E. 2555 have caused legal problems regarding the appealing procedure and complaint of a government servant of the office of the National Anti-Corruption Commission as follows: Firstly, a legal problem regarding the appealing procedure of the law enforcement under Clause 45 of the rule of the National Anti-Corruption Commission on personal management of the office of NACC, B.E. 2555. Secondly, a legal problem regarding unfairness of the Secretary of the National Anti-Corruption Commission regarding the appealing and complaint of a government servant of the office of the National Anti-Corruption Commission, and last but

not least, a legal problem regarding the use of power of the Chairman of the National Anti-Corruption Commission for considering and making a decision of the complaint of the government servant of the office of the National Anti-Corruption Commission in the event of cause of such complaint caused from the Secretary of the National Anti-Corruption Commission. Due to, currently, the office of the National Anti-Corruption Commission has not established an organization for maintaining the ethics system or a board of committees obtaining the power to consider the appeal and complaint. Therefore, the three problems have been arisen and have affected to the security of fairness for performance of the government servant of the office of the National Anti-Corruption Commission.

Therefore, the author would recommend that the office of the National Anti-Corruption Commission should consider that the Organic Act on Counter Corruption B.E. 2542 shall be amended in the Chapter of the Board of Ethics Committees and there shall determine contents of the provisions on criteria of qualification, background and recruiting procedure of the Board of Ethics Committees and there shall determine contents of the provisions on the power, duties and responsibilities of the Board of Ethics Committees for maintaining the ethics system. In addition, the Board of Ethics Committees should be granted the power of issuance of rules, regulations and other provisions suitable for performance as well. Furthermore, the author would also recommend that Clause 45 of the rule of the National Anti-Corruption Commission on personal management of the office of NACC, B.E. 2555 should be repealed in order to constitute the fairness of the ethics maintaining system of the servants and employees of the office of the National Anti-Corruption Commission proficiently and this shall also determine the security of fairness for the said the government servants' and employees' performance sustainably and continuously.