

THEMATIC TITLE	LEGAL MEASURES ON REGISTRATION OF BUSINESS SECURITY CONTRACT AND PUBLIC INFORMATION ACCESS
KEYWORDS	BUSINESS SECURITY CONTRACT/ PUBLIC INFORMATION ACCESS
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YEAR	2016

ABSTRACT

At the time of economic crisis in Thailand, the Government tried to implement the law on securitization for supporting the entrepreneur to run the business. At present, the attempt is successful in implementing the Commercial Collateral Act B.E. 2558. However, the most important factor to make this law efficiently is the commercial collateral agreement registration system. The system shall make confident to collateral acquirer, collateral provider and third parties concerned, regardless of whether it is other creditor or registration officer and registrar in other laws. The system also affects preferential rights of creditors for repayment of debts. The author aims to study concepts and details for determining legal measures commercial collateral agreement registration and means to access information of people.

As the commercial collateral agreement registration system relates to the form and validity of the commercial collateral agreement that would have an impact on the court interpretation. This is because it should be clearly specified under the law that the registration is the registration for information or, the registration of the properties used as business collateral with encumbrance and determination of format in using properties or business to be commercial collateral, determination of details on format of providing the list of properties including Information Technology system to be applicable to registration of commercial collateral

agreement for the interest of claiming creditors' right and public interest to access to information concerned.

As a result, the author suggested that the provisions on registration of commercial collateral agreement be amended so as to avoid the interpretation issues including determining legal format and criteria for implementing the registration of commercial collateral agreement for the interest of collateral acquirer and provider, officer and other third party in terms of claiming the right for repayment of debts for commercial collateral and storage and preparation of information for public access. In addition, as the Commercial Collateral Act is a new legal system with complication that has just applicable in Thailand, it should be better if there will be advertisement and dissemination of this law to the public and private sectors, persons in legal proceedings for both civil and criminal aspects for the sake of understanding in this legal system and enabling them to apply the law with efficiency and creating justice in the Thai society.