

<b>THEMATIC TITLE</b>	PROBLEMS OF THE EVALUATION, COLLECTION, AND EXEMPTION OF MINERAL ROYALTIES IN INDUSTRIAL QUARRIES AND THE USE OF UNMANED AERIAL VECHICLE (UAV) ON MINING AREA EVALUATION TO PROMOTE THAILAND'S MINING INDUSTRY
<b>KEYWORDS</b>	EVALUATION/ COLLECTION/ INDUSTRIAL QUARRIES/ UNMANED AERIAL VECHICLE (UAV)/ MINING INDUSTRY
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### **ABSTRACT**

This research aims to study the problems in evaluation, collecting and exempting the mineral royalty in industrial quarries and the use of unmanned aerial vehicles (UAV) to assess the mining area. The presumptions of the study is that the law on evaluation, collecting and exempting mineral royalty in industrial quarries of Thailand, and the law on the use of UAVs, do not provide proper rules and methods on mineral royalty and industrial quarries management. The study has explored the laws on mineral royalty of Canada, the Federal Republic of Germany and the Commonwealth of Australia and the applicable law on the UAVs of the United States, Commonwealth of Australia, and Canada, including conducted the interviews with experts in the mining industry, including engineers.

The study found that Article 4 of the Minerals Act, BE 2560, defines "minerals" as "rock as prescribed by the Ministerial Regulations as Industrial Rock". The mineral royalty, therefore, has to be paid before using those industrial rocks for purchase, sell, hold, store, or carry. However, according to Section 132 of the Act, which stipulates the method of assessment as specified in the Notification of the Ministry of Industry on the criteria provides that the evaluation of the royalty will be conducted only after the stone has been used in order to estimate the true amount.

Also, there is no condition on deduction of any costs before collecting the royalty. This allows the government to collect a royalty charge at a fixed rate but may provide entrepreneurs with less profit. So, in the long run the government may lose the opportunity and benefits from mining business. Furthermore, the Thai law does not allow the exclusion or reduction of mineral royalty in some specific cases. And even the government will bring UAVs to assess the mining area, there are still some legal restrictions, such as the Notification of the Ministry of Transport regulating the criteria for obtaining permission and conditions for the control or release of aircraft without a pilot that controls the flight from the outside, in terms of flight height, type and weight of UAVs. Also, there is no law on the use of UAVs in the mining industry.

Therefore, the researcher suggested that Section 132 and Section 137 of the Minerals Act, BE 2560, should be amended to provide for the assessment of royalty payments and the exclusion of industrial minerals that are used for public benefit in order to encourage entrepreneurs to participate in community development. It is a measure to develop and promote the mining business. Also it is proposed to amend the notification of the Ministry of Transport regulating the criteria for obtaining permission and conditions for the control or release of aircraft without a pilot that controls the flight from the outside, in terms of flight height, type and weight, for the use of UAVs in the mining industry as well. The study also proposed the issue of the regulation on aerial photographing using UAVs for private surveyors under Section 123 of the Mineral Act, BE 2560, to regulate the private sector, subject to compliance with the criteria and conditions stated in the regulation.