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| THESIS TITLE | MONOPOLY PROBLEMS OF THE PRIVATISED STATE ENTERPRISES: A CASE STUDY OF PTT PUBLIC COMPANY LIMITED |
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ABSTRACT

Most privatized state enterprises in the country are in the format of large business, having power to have high negotiation in market. If there is considering and comparing with the intention of trade competition law, it can be seen that the law needs the business to do in the nature of not too much monopoly. Every party has fair competition, especially doing monopoly business operation of privatized state enterprises, for example, in case of PTT Public Co., Ltd.

Even though PTT Public Co., Ltd. is privatized to be a private company, PTT Public Co., Ltd. has status of state enterprise because Ministry of Finance holds the shares of 51.11 percent.

From the study and analysis, it was found that the Trade Competition Act, B.E.2560 (2017), Section 4, there is no provision covering the privatized state enterprise causing PTT Public Co., Ltd. to claim that it can operate its business without control of doing any business under the Trade Competition Act, B.E.2560 (2017). The author had opinion that this Trade Competition Act had several defects. Therefore, there are problems in practical aspects and legal problems which are not solved whether in such case, the Trade Competition Act, 2560 (2017) can be used to the case of PTT Public Co., Ltd. or not.

The author proposed the guidelines for solving problems in important problems, as follows : guidelines in determining the monopoly criteria and criteria for exercising of the power over the market, that is (1) There should be modifying of the statement in Section 4 of the Trade Competition Act, B.E.2560 (2017). The correction is to make it clear and there should be provision to cover the

privatized state enterprises and (2) There should be provisions for separating the assets of privatized state enterprise clearly, which part belongs to private enterprises, which part belongs to the government, because the State Enterprise Act, B.E. 2542 (1999) does not clearly specify whether privatization of the business is done at the same time of privatization of assets existing before privatization or not.