

<b>THESIS TITLE</b>	LEGAL MEASURES IN CRIMINAL SANCTIONS AGAINST EXAGGERATIVE STATEMENT ADVERTISING OF PRODUCTS
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### **ABSTRACT**

Nowadays, economic system and communication system have swiftly changed and expanded. Meanwhile, promotion for sale of merchandises and services of manufacturers and entrepreneurs is highly competitive. Its significant factor is advertising. The more advertising is greatly interesting, the more benefit going to marketing of such goods and services. Those entrepreneurs have exercised variety of advertising strategy in order to attract consumers' attention. However, an important problem includes false and exaggerated advertisement which is considered as a deception to customers and causes damage to those customers and national economy. This thesis aims at studying problems and legal measures in criminal sanctions against exaggerated advertisement for seeking relevant solution and economic optimum.

This study results the consumer protection relating to advertising provisions of Consumer Protection Act B.E. 2522 do not provide a penal measure including penalty fine in case of exaggerated advertisement in section 49 of Consumer Protection Act B.E. 2522. It is not in conformity with current social and economic circumstances. On the other hand, United States of America, United Kingdom, Japan and Federal Republic of Germany provide inclusive and appropriate penal measures pertaining to the exaggerated advertisement.

The researcher, accordingly, suggests an amendment to Consumer Protection Act B.E. 2522 to be a bill of consumer protection B.E. ... stipulating that the Advertising Commission has

a power to order restraining or suspending an exaggerated advertising, ceasing sale or withholding or attaching goods as a result of exaggerated as far as the entrepreneur rectifies such advertising or observes any order of the Advertising Commission. The Advertising Commission also has a power to withhold goods as a result of the entrepreneur fails to comply or infringe the Advertising Commission's order. A ministerial regulation can be provided for imposing a rate of penalty fine on daily basis and based on income and each culprit's severity of committing the offense.