

THE MATIC TITLE	LEGAL PROBLEMS IN CONTROLLING THE CONSTRUCTION OF SMALL BUILDING BASED ON THE BUILDING CONTROL ACT 1979
KEYWORD	BUILDING CONTROLLING
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ABSTRACT

This thesis studied about the problems related to the building controlling based on the building control act 1979 in relation to the control of the construction of a small building that has been building not accordingly to its plan and the also the authority of the officials.

The result of the study has shown that the crucial principle that leads to the problem in the controlling of the small building construction is from the act of building control act 1979. This law statement focuses only on the controlling of the large building and overlooks the building that has no more than 4 floors such as townhouse, house or the commercially renting building. This smaller building has the highest risk if the accident since most of these building will be modified adjusted and decorated and some are used inappropriately and not match with the requested permission. Some are used for business, room rental, dormitory, entertainment, pub, and karaoke for example. Despite the fact that most of these building are requested for accommodation in the period of construction and does not categorized as the building under monetization which will be inspected and report for its usage such as the large building accordingly to the building controlling act of 1979 despite the fact that these building are used by so many people in the same way the large building does.

The building construction that does not follow the requested permission according to the building controlling act of 1979 which the contractor of the tall building might try to avoid the limitation about the period of the construction. Since the building that is not taller than 23 meters

will not be listed under control which might result in a shortening of the term required by law. Construction of a high-rise building needs to prepare the environmental impact before the local government agency issue a permit which will allow the contractor to construct the tall building that exceeds 23 meters a little without the need to ask for permission and reduce the additional cost. When the owner of the high-rise building avoids the permission to build the high rise building it will affect the security in term of the safety in life and property for those who live in the adjacent area of the building.

Another problem under the building control act of 1979 is the giving the absolute power to control and supervise of the law to the local officials. According to the building controlling act, the mentioned power is held by a single person since the power in the consideration of the permission of the construction, the power to add, modify, dismantle, to use or to change the type of the usage of the building, the building to investigate the action that violates the law even the power to issue the administrative order to control the compliance of the law. This law will be effective or ineffective depends solely on the strictness of a single person of the local office which may lead to widespread corruption.

Therefore, this thesis has a suggestion that regardless of the size of the building, all building should be labeled as the building for use so that the smaller building can be investigated frequently since the process of the construction and the proper use of the type of the building that has been requested for the construction permission and according to the building control act of 1979, it should be determined that the committee of the construction come from the private section to share the power of the local government agent under the building controlling act. This will directly affect the ability to corrupt of the local officials and corruption will be reduced. Hence, the construction of the building will be done correctly, appropriately to the intention of the building controlling law.