

THEMATIC TITLE	LEGAL PROBLEMS IN INVESTING IN NEW BUSINESS TO SUPPORT INFORMATION TECHNOLOGY: A STUDY ON THE TOPIC OF DEBENTURE ISSUED BY LIMITED COMPANIES.
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ABSTRACT

“Startup” is one of the most successful business nowadays. This type of business can generate income quickly by reproduced and expanded the business with technology or innovation as a key to creating a business. Technology or innovation also the main tools that use to solve the problem daily to meet the needs of the user.

This type of business is one of the most important things that the Thai government considered to use as an economic driving tool — especially the startup business in the agriculture and food sector, educational sector and health sector. However, to promote startup a business according to the government policy. We have to develop and improve the law on the capital increase and management of shares of a limited company under the Thai Civil and Commercial Code, especially the prohibition of issuing debentures and changing preferred shares which is a significant problem for the promotion of the startup business by the government's policy. Because usually, Startup business is a business that has just begun and had to establish itself as a limited company to start doing business.

After using a documentary review method to review some selected documents, books, articles, research, related law, and Indian law, The researcher found the conflict between two relevant law in Thailand. First of all, article 1299 of Thai civil and commercial code prohibits limited

companies from issuing debentures. However, this prohibited is excepted by article 33 of the Securities and Exchange Act B.E.2535. This conflict leads to problems about the ability to issue debentures of a startup business, problems with the issuer company, problems with the business or industry of the issuing company and problems with the debenture itself which is a negative impact on attracting investors.

To solve this problem, we have to amend article 1229 of the Thai Civil and Commercial Code to allow startup business to issue debentures. Amended the article will give an ability to startup business to raise the funding quickly. Moreover, This will attract investor from inside the country and overseas to invest in Thai startup business which is the excellent country benefit.