

THEMATIC TITLE	PROBLEMS OF APPEAL CONSIDERATION OF THE NATIONAL FILM CENSORSHIP COMMITTEE UNDER THE FILM AND VIDEO ACT B.E. 2551 (2008)
KEYWORDS	THE NATIONAL FILM CENSORSHIP COMMITTEE/ APPEAL/DISCRETIONARY POWER/REGISTRAR
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ABSTRACT

This thematic paper is aimed at studying problems of appeal consideration of the national film censorship committee, appeal consideration body, term of appeal consideration and exercise of discretion of the national film and video censorship and the registrar in pursuance with intent of law and non-impact on rights and freedom of the people.

The study finds a problem of the appeal consideration body under the Film and Video Act B.E. 2551 (2008) comprising 27 committee members which are large-scale. As for Section 66 and Section 67 of the Film and Video Act B.E. 2551 (2008) provide timeframe for the end of appeal consideration within 30 days from the date of receiving the appeal, a problem is arisen in quorum of the committee and in case the appellant has not absolutely filed all documents, it will be considered as concurrence with the appeal. Moreover, there is a lack of vivid regulation on exercise of discretion of the national film and video censorship and the registrar. As a result, law enforcement is not pursuance with intent of the Film and Video Act B.E. 2551 (2008).

From the aforementioned study and analysis, the researcher has some suggestions to be pathway for solving such problems by a revision of the Film and Video Act B.E. 2551 (2008). An appeal consideration committee should be specifically formed together with additional provisions of law in Section 36, Section 66/2 and Section 67 should require the requester for review of film and video and the appellant to file all documents absolutely on the date of filing request for review of film and video and

filing the appeal. In addition, vivid regulation or checklist of the exercise of discretion should be provided in order that provisions of law on film and video of Thailand are completed and further enable absolute and efficient protection of rights and freedom of the people.