

THESIS TITLE	LEGAL PROBLEMS CONCERNING MARKET DOMINANT POSITION UNDER THE TRADE COMPETITION ACT B.E. 2560 (2017)
KEYWORDS	MARKET DOMINANT POSITION
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ABSTRACT

This thesis aims to study the legal issues related to the criteria of the market dominant position under the Trade Competition Act B.E. 2560 in order to suggest the solution for the legal issues that related to such cases.

The study found that the Trade Competition Act B.E. 2560 under the part of criteria of the market dominant position is unclear and not cover to the criteria of the status of the market dominant position to prevent the monopoly or restricted competition including penalties for offenders under Section 50 and Section 54 that requires a long period of judgment, which could not solve the problem in a timely manner in considering the unfair behavior of the market dominant position, whether the behaviors are fair or unfair which the law does not state yet and it is a problem of ineffective law enforcement. Moreover, it is necessary to compare the competition law of foreign countries that have been used for a long time, for example the completion law of Canada, European Union, Korea and the United States to use as guideline to improve the criteria of the market dominant position in order to obtain advantage in adjusting the criteria of the market dominant position under Thai law that will improve the enforcement of Trade Competition Act to be in line with the economic and trade competition in Thailand.

Therefore, from the study and problem analysis, the writer suggests to add and edit the criteria of market dominant position under the Trade Competition Act B.E. 2560 in the part of the definition of market dominant position, the penalties against the abuse of the market dominant position

under Section 50 and Section 54 including the consideration of the unfair acts of the business operator who is the market dominant position to be stated clearer. This study will benefit the effective enforcement of the Trade Competition Act B.E. 2560.