

THEMATIC TITLE	LEGAL PROBLEMS ON CONTROLLING ALCOHOLIC DRINK ADVERTISEMENT
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ABSTRACT

The purpose of this thematic paper was to study legal measures regarding the problem on controlling an alcoholic drink advertisement. Because at present, although under the provisions of the Alcoholic Beverage Control Act B.E. 2551 (2008), there are rules to control alcoholic drink advertisement, but under the mentioned rules, it is still unclear and there are no appropriate details according to rights and liberties consistent with the constitution.

The analysis results showed that although the Constitution of the Kingdom of Thailand B.E. 2560 (2017) will give all citizens the right to access all types of advertisement, including the group of alcoholic beverages as well, but with the limitation of the Alcoholic Beverage Control Act B.E. 2551 (2008), Section 32, people are restricted to be unable to access the advertisement of alcoholic drinks. This causes the people to be unable to understand the data for comparison in purchase of alcoholic drink products or the expected benefits of alcoholic drinks from advertising media. Therefore, there may be some group of people who have not known what benefits the alcoholic beverages will give to the body if they were drunk appropriately. This is considered as another good point of receiving alcoholic drink advertising media.

Therefore, it is seen as appropriate to revise the Alcoholic Beverage Act B.E. 2551 (2008) as follows:

1) Problems regarding the rights and liberties of people in receipt of the advertisement media. In this point, it should be amended regarding prohibition of advertisements under the Alcoholic Beverage Control Act B.E. 2551 (2008), Section 32, to allow alcoholic drink sellers to

advertise without showing symbols of the alcoholic drinks in the same manner as Section 32, paragraph two, allowing to display only brand, size and price of the products and prohibiting online advertisements to children and young people under the age of 20 years to persuade them to drink alcoholic drinks.

2) Problem on controlling alcoholic drink advertisements. In this point, there should be an addition to the Alcoholic Beverage Control Act B.E. 2551 (2008), Section 32, with appropriate details on the control of alcoholic drink advertisement, specifying types and characteristics of the media, including location, date and time that the law allows advertising and publicity in order to be a clear rule and norm in resolving arguments regarding restriction of liberty in communication under the Constitution.