

THEMATIC TITLE	LEGAL PROBLEMS ON CONTROLLING THE USE OF PLASTIC BAGS
KEYWORDS	CONTROLLING PLASTIC BAG USE
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YEAR	2021

ABSTRACT

This independent study aims to investigate the legal problems on controlling plastic bag use because at present an increase of plastic bag problems has revealed government's inefficiency in plastic bag management. Moreover, although Thailand has the Enhancement and Conservation of National Environmental Quality Act B.E.2535 and amendment (No.2) B.E. 2561, it has not supported various solutions to plastic bag waste problems, which leads to this study.

The findings were shown as follows: (1) Regarding the problems of controlling plastic bags, at present Thailand has not clearly provided the definition of plastic bags. Therefore, this led the Enhancement and Conservation of National Environmental Quality Act B.E.2535 and amendment (No.2) B.E. 2561 to encounter the problems of interpretation and clarity in plastic bag management; (2) Regarding the problems of authority's execution among the National Environmental Board on controlling plastic bag use according to the Enhancement and Conservation of National Environmental Quality Act B.E.2535 and amendment (No.2) B.E. 2561, Thailand does not have the board to control, investigate, and monitor stores, convenient stores, and department stores in plastic bag use. This leads an increasing number of plastic bag problems although there are measures from the government sector; (3) Regarding the problems of defining the control zones on plastic bag ban according to the Enhancement and Conservation of National Environmental Quality Act B.E. 2535 and amendment (No.2) B.E. 2561, at present there are no areas which are controlled specially on plastic bag ban and most of the areas encountering the problems on plastic bag waste more than

other areas are tourist destinations including seaways and waterways. This causes death to several types of aquatic animals due to plastic bag waste.

Therefore, in order to efficiently control plastic bag use, the researcher would like to propose the amendment of the Enhancement and Conservation of National Environmental Quality Act B.E. 2535 and amendment (No.2) B.E. 2561 consisting of (1) the definition of plastic bags in Section 4, (2) authority of the National Environmental Board in Section 13 on monitoring, investigating, and controlling plastic bag use, and (3) the identification of control zones on plastic bag ban in tourist destinations in Section 43.