

<b>THEMATIC TITLE</b>	LEGAL ISSUES REGARDING PRIVATE ELDERLY RESIDENTIAL FACILITY
<b>KEYWORDS</b>	PRIVATE ELDERLY RESIDENTIAL FACILITY
<b>STUDENT</b>	PRATYA PHETCHAROEN
<b>THEMATIC ADVISOR</b>	DR. SIWAPORN SAOWAKON
<b>LEVEL OF STUDY</b>	MASTER OF LAWS BUSINESS LAW
<b>FACULTY</b>	SCHOOL OF LAW SRIPATUM UNIVERSITY
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### **ABSTRACT**

This independent research aims to investigate the legal issues regarding private elderly residential facility. The Elderly Act B.E. 2546 does not stipulate rules for providing the private elderly residential facility. As a result, some elderly people do not have a place to live their retirement age. In addition, no reserve fund has been established to provide the private elderly residential facility.

The study of the Elderly Act B.E. 2546 regarding the private elderly residential facility revealed the issues following. (1) The issue regarding the right to provide private elderly residential facility, Section 3 and Section 11 (10) do not specify the right to provide private elderly residential facility. As a result, it causes the elders, relatives or people taking care of the elders to be responsible for seeking private elderly residential facility. (2) The issue regarding establishing the private elderly residential facility fund, Section 13 and Section 14 do not specify the method and criteria for the establishment of the private elderly residential facility fund. As a result, the elders do not have any funds and plans to live in private elderly residential facility. (3) The issue regarding the Fund Management Committee's authority in organizing the private elderly residential facility fund, Section 20 does not empower the Fund Management Committee to manage and operate the private elderly residential facility fund. Consequently, at present, the private elderly residential facility fund has not yet been established. When compared the condition of these the above three issues with the United Kingdom and Japan, it was found that legislation in both countries supports private elderly residential facility with legal measures and standards to control relevant

business operation and to ensure efficiency of business operation of the private elderly residential facility. In addition, staying in private elderly residential facility has been well planned and prepared for the elders in terms of expenses, place of residence, location, environment which the elders want to live at the end of their life.

Therefore, the researcher would like to propose the amendments to the Elderly Act B.E. 2546 regarding private elderly residential facility as follows: (1) the law should specify the right for the elders to get protection under Section 11 (10) including the right to have private elderly residential facility; (2) the law should establish the private elderly residential facility fund under Section 14 to support and promote the elders to have private residential facility; and (3) the law should empower the Fund Management Committee to manage the private elderly residential facility fund under Section 20.