

THEMATIC TITLE	LEGAL PROBLEMS WITH THE USE OF TASERS IN PUBLIC DEFENSE
KEYWORDS	TASERS/SELF-DEFENSE/GENERAL PUBLIC
STUDENT	CHAKRIT AIAMAESAKULNEE
THEMATIC ADVISOR	DR. SIWAPORN SAOWAKON
LEVEL OF STUDY	MASTER OF LAWS, CRIMINAL LAW AND CRIMINAL JUSTICE ADMINISTRATION
FACULTY	SCHOOL OF LAW SRIPATUM UNIVERSITY
YEAR	2023

ABSTRACT

In this research, the legal issues regarding the control of tasers for civilian self-defense are probed with the objectives to study: (1) the background, concepts, and theories of the control of tasers for civilian self-defense; (2) the legal measures concerning the control of tasers for civilian self-defense stipulated in international, foreign and Thai laws; (3) the legal problems regarding the control of tasers for civilian self-defense; and (4) the solutions to the said legal problems.

The results of the study found the following issues: (1) the issues relating to permit for possession of tasers for the general public. Due to the lack of regulations allowing the general public access to tasers, self-defense options are limited to lethal weapons such as general firearms; (2) the issues relating to the dart cartridges and darts used in tasers, The tasers are classified by law as firearms under Section 4 of the Firearms, Ammunition, Explosives, Fireworks, and the Equivalent of Firearms Act of B.E. 2490 (1947) and as armaments according to Clause 2(1)(a) of the Notification of the Ministry of Defense on the list of armaments that requires possession permit under the Arms Control Act B.E. 2530 (1987), dated February 22, 2021. However, there are no laws regulating dart cartridges or darts used in tasers unlike ammunition or general bullets; and (3) the issues relating to qualifications and prohibited characteristics of applicants for firearms licenses. Because the qualifications and prohibited characteristics under Section 13 of the Firearms, Ammunition, Explosives, Fireworks, and the Equivalent of Firearms Act of B.E. 2490 (1947) do not

cover the pre-licensing exam unlike the application for a driver's license and specific psychiatric examination and certification by a specialist doctor are also required.

Therefore, the researcher has proposed the solutions to such legal issues as follows: (1) amendment to Clause 2 of the Notification of the Ministry of Defense B.E. 2522 (1979) issued under to the Firearms, Ammunition, Explosives, Fireworks, and the Equivalent of Firearms Act of B.E. 2490 (1947) to give general public access to tasers; (2) amendment to Section 4 (2) "Ammunition" of the Firearms, Ammunition, Explosives, Fireworks, and the Equivalent of Firearms Act of B.E. 2490 (1947) to keep dart cartridges and darts used in tasers under legal control as ammunition; and (3) amendment to Section 13 requiring both theoretical and practical tests and medical certification to determine qualifications and prohibited characteristics of applicants for permission to own or possess firearms in accordance with current social conditions.