

Independent Study Title : The Legal Problems Concerning Land Use Planning
for Retail and Wholesale Business

Author : Mr. Sorayuth Suvarnaphol

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Advisor : Assoc.Prof. Dr. Phoonsakdi Vaisamruat

ABSTRACT

This study examines the Land Use Planning for retail and wholesale business to describe The Legal Problems concerning of Conflict of Law between announcement of Department of Public Works and Town & Country Planning on Ministerial regulations of Sa-kaew community.

From the Research, it is found that the discretion of The Department of Public Works and Town & Country Planning which is that the principle town planning of Sa-kaew is enforced after the announcement of Public Works and Town Planning Department, rendering to not expiring of the announcement; this should be incorrect. It is because the said announcement is a regulation of property utilization for the purpose of town planning in the areas of Sa-kaew Province which is a kind of town planning being provided in the ministerial regulation regarding enforcing the principle town plan in Sa-kaew 2547, as soon as the ministerial regulation is enforced, the announcement expires in the ministerial regulation promulgation areas. Another observation is that announcement should have low rank and the ministerial regulation, and the ministerial regulation is promulgated, the stipulations of the announcement should be included in the ministerial regulation which thus can be observed if there is no prohibition from doing so, and no action will contradict the ministerial regulation.

This study examines and surveys the problem and recommend the way to improve problem of Conflict of law and relevant legislation by separate retail and wholesale business from The Building Control Act.