

Thesis Title : The Problems of Money Donation to the Political Party
by Private Sectors

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ABSTRACT

This study concerned with money donation to the political party by private sectors and limited level of money donation to the political party together with the authorized organization to control and inspect the money donation to the political party. In prior to the promulgation of the Constitution B.E. 2550 of Thailand, there was no level limitation of money donation to the political party in Thailand. The concept of limited level of money donation to the political party had been stipulated for the first time in order to prevent the political party from domination of some political capitalists and also develop the political parties to be solid without solely depending on the capitalist group.

From the study, the law legislation had authorized the Election Commission to control and inspect the money donation to the political party and limited level of money donation to the political party by prohibited any individual or juristic person to donate money over ten million Bath annually to any political party. This principle allowed all individual and juristic persons to donate money to the political party. The study had found that it was proper to specify the duty of controlling and inspection of money donation to the political party to the Election Commission, but as the Organic Law of Political Parties, B.E. 2550 that allowed the juristic persons to donate money to political parties had caused doubtfulness to most people that such money donation of the juristic persons were tended to be business reciprocal rather than faith in that political party. This was due to the fact that the political party might have a chance to

reciprocate those juristic persons more than individual ones because all the Government Projects would be operated by juristic persons. Besides, the level limitation of ten million Bath for annual money donation might lead to have subdivision and subway of money donation for the donor who would not want the public learning about the money source, in order to avoid the clarification of the major donor. This was an evasion of transparency and might affect to the development of political parties in Thailand.

Therefore, the author proposed to revise the Organic Law of Political Parties, B.E. 2550 by imposing the prohibition to juristic persons for money donation to political parties and also revise the new level limitation of money donation to not over 50 million Bath annually. As the political parties had a certain level of development, there should be some concerning upon money donation in the format of Royal Degree or Announcement of the Election Commission.

However, the principle to authorize the duty of controlling and inspection of money donation to the political party should remain to the Election Commission, because this would be the main duty in developing political parties and also the Country and should thus be the duty of a real independent organization.

For conclusion , the money donation to the political party was a format of political participation for people, therefore, the Government should promote this participation to all people and aware to the importance of the political parties for further constructive development of both the political parties and also the politics in Thailand.