

Thesis Title : The Problem of Expanding the Scope of the Right of Voluntarily Insured Persons

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ABSTRACT

The objective of this thesis is to study and analyze the problem related to Article 40 of Social Security Act B.E. 2533. This Article provides that the status of an insured person under the Social Security Act will be application for a voluntarily insured person. As well as, a comparative study of system in foreign countries, especially America Japan Cyprus and Philippines, so as to identify possible solutions for any defects in the Thai Social Security Laws.

The researcher holds that under Article 40 social security law inappropriately determines benefits, criteria for being insured, and the contribution rates for voluntarily insured persons. Benefits are granted in only three cases. These cases are childbirth, infirmity and death. However, the law does not provide for health insurance and old age benefits in spite of the fact that these are inseparable from being properly insured. This state of affairs creates problems for those voluntarily insured in view of life contingencies. Moreover, there are a number of problems involved in the enforcement of this law involving provisions which result in unequal treatment of recipients of benefits.

With the above problems, the author is of the opinion that the Social Security Act could be improved by expanding the scope of the right of voluntarily insured persons to become similar to those of compulsorily insured persons, also payment of contributions should be adjusted in similar ways, so that both the compulsorily and voluntarily insured persons would

obtain benefits at similar rates. This should be considered and calculated based on the expenditure and incomes earned by voluntarily insured persons. With a view that it be more fair to insured persons and consistent with the present economic conditions. As a result, the insured persons would acquire more protection and retain their membership in the Fund.

