

Independent Research Paper Title : The Legal Impacts of Free Trade Agreement
between Thailand and the United States:
A Case Study in Legal Service Profession
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Academic Year : 2007
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ABSTRACT

Currently, trade in service has become a most significant issue in trade negotiation for the United States (U.S) as the beneficial service exporter. However, the negotiation in multilateral agreements continues slowly and rarely achieves conclusion. Consequently, the U.S. shifts toward bilateral trade agreements. This research focuses on Free Trade Agreement (FTA) on trade in service especially legal service profession between the U.S. and Thailand. Although the negotiation now is suspended before having new election, this study might be beneficial as guide line to determine framework and appropriate safeguard measure for revising domestic laws to be consistent the FTA when the parties start to negotiate again. As a result, the research found that a great deal of countries permits foreign lawyers or foreign law firms to practice in host country as consultants. However, they still have some restrictions to protect public interest. The problems must be taken into account on two levels. Firstly, the framework in FTA on legal service profession between the U.S. and Thailand is what it should be. Secondly, in domestic laws, Thailand has no specific law to control legal consultant activities. Furthermore, Foreign Business Act B.E. 2542, The Lawyer Act B.E.2528 and The Alien working Act B.E.2521 need to be changed to comply with the agreement. Nevertheless, all relevant Thai laws should be revised and reviewed carefully to ensure that our laws are able to protect our public interest.