

Thesis Title : Escrow Act B.E. 2551: Study on the problem of allowing non – financial institutes in performing the Escrow business and supervising measure

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## ABSTRACT

At the beginning, only the financial institute can have a legal authorize to apply for the license in running the escrow business while the other non-financial institute must be allowed to perform the escrow business first by the ministerial regulation which is not comply with the international law and it is over limitation for the rights and freedom in vocation. Moreover, it is effect the non-financial institute that is trusted by the contractual parties to be kept away from performing the escrow business.

The findings of the research show that, the non-financial institute should be allowed to perform the escrow business as well as the financial institute, however, the measure of law that regulate financial institute, which is already the most secured, in running the escrow business is still insufficient to enact with the non-financial institute. Therefore, The Escrow Act B.E. 2551 should be amended to have an appropriate legal measure for regulating and reviewing the non-financial institute in performing the Escrow business in which to maximize the benefit of all involving parties including the benefit of public economic of the country.

This thesis proposes some solution by allowing the non- financial institute to perform the escrow business by requiring the application for the escrow license and providing the measures of law in regulating the non-financial institute escrow in various substances, for instant, specifying the minimum amount of registered capital and security that must be submitted to the escrow commissioner in case of any damage etc.