

Thesis Title : The Legal Problems Regarding Noise Pollution  
at Suvarnabhumi Airport

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Degree : Master of Laws (Business Law Program)

Academic Year : 2008

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### ABSTRACT

Section 32 (5) of the National Environmental Quality Act B.E. 1992 provides the minimum ambient standards for noise and vibration. It also empowers the National Environment Board (NEB), to set up a standard of noise and vibration which became in force in 1997 but the standard aircraft noise has never been set. The Civil Aviation Act B.E. 1954 which implemented the Chicago Convention 1944 stated in Section 15 (6) that the Civil Aviation Board shall have the power to prescribe legislation and regulation upon approval by the Minister and to take effect after being published in the Government Gazette. Unfortunately, hitherto, no specific standard for aircraft noise and the noise level generating from aircrafts has been prescribed other than the standard for noise and vibration in the 1992 Act. When Suvarnabhumi Airport was officially operated, aircraft noise pollution could not be controlled by any specific piece of legislation. A study on Thai legal measurement regarding an aircraft noise found that there are problems regarding the noise level generating from aircrafts as follows;

1) The legal problem concerning the noise pollution control in the Suvarnabhume Airport Area.

2) The legal remedies

The study found that the noise pollution generated by aircraft movements, both in terms of take-offs and landings at Suvarnabhumi Airport brought not only physical and mental suffering but also the physical damage to people's property around the area. Though there is a standard of noise pollution and its control, there is no particular law and legislation to control the aircraft noise pollution. As a result, the problem has never been solved. The aircraft noise level is higher than the certified noise control standard. Provision in the Constitution, the Civil and Commercial Code and the Civil Procedure Code could not help control the noise pollution from aircrafts directly either. The National Environmental Quality Act B.E. 1992 and the Civil Aviation Act B.E. 1954 are not effective dealing with aircraft noise pollution.

The thesis recommends the setting up of standard for aircraft noise control in the Air Navigation Act B.E. 1954 with reference to Annex 16 of Chicago Convention 1944. Also, to effectively solve the problem, the provisions should establish an official unit that work on this particular problem.

