

Thesis Title	:	Shareholder's Rights in Reorganization	
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ABSTRACT

To achieve the reorganization objectives, the measures to restrain the right of the person related to the debtors are required. For that reason, this research aims to study the restraint measures and the protection measures of the shareholder's rights as in the Bankruptcy Act B.E. 2483 (1940). The researcher found that, According to the law, at the time the debtors enter the reorganization proceeding, almost every rights, except the right to dividend, of the shareholder would fall into the person who has the power to manage reorganization proceeding and there is no provision about the protection of the shareholder's right anywhere in the law, thus the study about the protection measures of the shareholder's right is necessary for fair and transparent reorganization proceeding as long as it does not against the proceeding.

The comparative study about the shareholder's rights in various countries shown that both protection measures and constraint measures are used in the reorganization proceedings such as specifying that the shareholders have right to have the disclosed information or to request before court when receive the unfair treatment from the proceeding, however it depends on each country's concept or policy of law or the insolvency test.

The author proposes to have Bankruptcy Act B.E. 2483 (A.D. 1940) amended by adjusting from the proceeding which using the insolvency test to the proceeding which using the asset test for the debtors can enter the reorganization proceeding faster which would corresponding with the right of the shareholders to request before court when receive the unfair treatment and give the shareholder the right to receive the disclosed information in the reorganization plan in accordance with section 90/43.