

ประกอบวิชาชีพสื่อมวลชน โดยให้มีการควบคุมสัญญาประกันภัยความรับผิดชอบต่อวิชาชีพสื่อมวลชน โดยสำนักงานคณะกรรมการกำกับและส่งเสริมการประกอบธุรกิจประกันภัยด้วย



Thesis Title : Problem of Professional Indemnity Insurance: A Study of Media Liability Insurance

Author Name : Ms.Sunsanee Udomhunsakul

Degree : Master of Laws (Business Law)

Academic Year : 2016

Advisory Committee :

1. Assoc.Prof.Pornchai Soonthornpan Advisor
2. Assoc.Prof.Sumate Janpradub Co-Advisor

ABSTRACT

In Thailand, the prosecution of press and mass media continues to persist and the criminal prosecution is expected to increase in the future, including defamation and civil offences, which demand the press that has caused damages to others to settle a lawsuit in the form of compensation to the plaintiff. The majority of the plaintiffs are the general public whom are affected by the publicizing of such news. The amount of compensation requested by the plaintiff is expected to escalate in the future. Thereby, the press and mass media might have to be responsible for a higher compensation. In such cases, the law requires the employer of media professionals, either as an individual or a legal entity, to plead guilty to such crime committed by his or her own employee as stated under the Civil and Commercial Code. In the offense of violating human rights, the victim will often sue the employer, the publisher, and the editor with regards to their shared responsibilities.

Upon consideration of the aforementioned legal issues relating to the liability insurance of media professionals, it can be observed that, as of present, the liability insurance of media professionals in Thailand has no visible standard nor does it conform to the Office of Insurance Commission. Likewise, it is still not clear whether or not a media profession should be regarded as a profession or not.

Accordingly, researchers have suggested that there should be provisions of law that are specific to the stated agreement, in particular for the Civil and Commercial Code. In addition, there should be a law enforcement that requires media professionals to obtain a professional license in order to execute practices in the same direction as the scheme. In addition, regarding the

fact that Thailand currently has no liability insurance specifically for media professionals unlike the United States, researchers are of the opinion that professional liability insurance for media professionals should be in place and that it should be regulated by the Office of Insurance Commission.

