

Independent Study Title	:	The Legal Problems of Phishing Offence: Study on Computer – Related Crime Act B.E. 2550
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ABSTRACT

Computer Crime is a type of crime which strongly harms the society. Phishing is one type of Computer Crime that the government should deliberately control because the phishing is an offence which uses the new technology to commit the crime. In addition, existing legal measures were still not effective. There are many limitations to enforce the laws for the prevention of phishing offence.

From the study of this independent research, there are problems on the punishment of the offender, for example, the problem on the act of phishing and the improper punishment when in comparison with the damage.

The result acquired from this research is that, Thailand does not have specific legal provision to deal and punish the phishing offence. Normally, in case it is a phishing offence, the law shall apply Section 14 of the Computer – Related Crime Act B.E. 2550 to consider the case. Although, this present Act can be used to enforce the case, it is also not sufficient.

Moreover, there are also problems regarding the interpretation. The Act does not provide the definition of phishing offence, therefore, it is difficult for the relevant parties to consider the act of phishing. Accordingly, Section 14 of Computer – Related Crime Act B.E. 2550 should be amended by adding the definition of the word “phishing offence”. Moreover, for the effective punishment, the penalty for a person who commits the phishing offence should be more severe.