

Independent Study Title : Legal Issue on Child Labour Regulations: A Comparative Study between the United States Thailand and India

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ABSTRACT

The purpose of this research concerns on child labour issue under the Labour Protection Act, B.E. 2541 because the violation of child labour has been occurred for a long time. It indicates the regulation cannot protection the fundamental rights and the benefits of the child labour. Likewise, the regulation also lacks of modernity. On this research, the child labour issue should be analyzed to apply or improve in the Labour Protection Act, B.E. 2541 to protect the fundamental rights and the benefits of the child employees as much as possible.

From the analysis, this research found the regulation on child labour of Thailand does not provide meaning of the legal terms like “child” and “child labour” which are caused legal issue on interpretation; narrow and wide because it should be provided under the provision due to protection the fundamental rights and providing the benefits to child labour. While, lacks of legal harmonized between Section 44 of the Labour Protection Act, B.E. 2541 and Section 24 of Civil and Commercial Code because it is caused legal conflicted due to age of employment of child labour. Furthermore, the minimum wage rate of employment of child labour is not legislated under the Labour Protection Act, B.E. 2541 It means the regulation does not concern on protection the fundamental right of child labour and it is also caused child labour issue. Besides, providing the element welfare of child labour which is in the area of the fundamental rights of child labour under the Labour Protection Act, B.E. 2541 seems to compel the children to labour market instead of concerning on quality of life and living of child labour.

This Independent Study presents the objective recommendation on revising the amendment of the Labour Protection Act, B.E. 2541 to concern on providing meaning of the terms “child” and “child labour”, age, minimum wage rate, and element welfare to avoid or to reduce legal issue in the future due to interpretation; narrow and wide.