

Thesis Title : Conflict of Interest of Company Limited
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ABSTRACT

The provisions under Thai Civil and Commercial Code concerning the conflict of interest of directors are still not complete.

Although there are some provisions concerning the conflict of interest of juristic person's representatives, provisions concerning prohibition of doing any business of the same nature as and competing with the limited company or Law on Agency which can be applied only to the case that the agent enters into juristic act on behalf of the principal and the case that the agent has spent money which he had to pay back to the principal. These provisions are still not enough to enforce all aspect of activities and still not enough to apply to the case of conflict of interest of the directors.

According to the study, It had been found that in some countries the company law has enacted concerning conflict of interest of directors in many issues such as exploitation of property information or opportunity, duty not to accept benefit from the third person by reason of being director, duty to declare about conflict of interest, issues concerning to the case of doing business with the company and duty not to run any business competing with the company.

For these reasons, there should be revised or enacted the new law in order to cover all activities which are concerning conflict of interest, exploitation of property information or opportunity, the provision concerning prohibition of acceptance benefits by reason of being directors, the provision

concerning duty to declare important information, the provision concerning prohibition of running any business competing with the company, the provision concerning prohibition of being other's employer, including the provision concerning not doing business with their own company.