ABSTRACT

Recently, business sectors apply several methods to approach prospective customers especially “Spam” which is considered as invasion of privacy of the contacted person. Hence, the aims of this research project is to study the application of related Thai law to the case of violation of privacy by Spam. Thus, this research is qualitative and information is collected by analysis of documents. The findings of this research proved the hypothesis by indicating that there are no specific laws in recent Thai legal system to protect the “right not to be contacted by Spam without expectation and consent”. Although, there are currently various laws which can be applied to unsolicited contact by spam, namely; Thai constitution, criminal code, civil and commercial code, direct sale and direct marketing act, consumer protection act, and computer crimes act. This research indicates that the problems of content, element, and scope of such laws make them inappropriate to be applied to the protect the privacy in case of invasion by direct sale businesses. Consequently, the research proposes suggestions such as enacting a specific laws and amending the existing laws in order to protect the right of privacy in case of invasion by Spam.