



Enforcement of Online Gambling Laws

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Abstract

Background and Aim: Nowadays, technological evolution has developed greatly. The lives of the people in society are all dependent on technology, especially through the Internet. Whether searching for information communicating Various transactions or even for entertainment etc. The development of technology for transmitting information by multimedia media, such as the use of text, audio, images, videos, graphics moving graphics, etc., is a channel for more business services. It can be said that the Internet network, despite many advantages in Various conveniences but there are still has many disadvantages as well. One service that is currently popular in online society and will be studied to determine the issues is providing a service for playing or downloading online games or online social games. Whether through a web browser, such as games on Facebook, or through an application on a mobile phone which may be related to gambling on the Internet, also known as online game gambling. The paper aims to solve the problem of gambling which is considered a threat to peace and order and internal security. However, after the promulgation of the Gambling Act. The latest amendment was No. 8 in the year 1962 and is still in effect today. without any additional amendments made in any way Although there were attempts to revise the Gambling Act again in 2011, the Gambling Bill was eventually dropped. Because the parliament was dissolved that year. As a result, the Gambling Act B.E. 2478 has not been amended again. For a period of up to 58 years, the obsolescence of such laws resulted in inefficient enforcement. In addition, in terms of content in some sections, there are inconsistencies with social conditions. The economy and the current changing situation.

Materials and Methods: The objective is to analyze the scope of the legal application of the Gambling Act B.E. 2478 in terms of definitions. Determination of offense bases and penalties Agencies with the authority to prevent and suppress gambling including various measures related to gambling Along with proposing appropriate ways to solve such problems, and in this research article, the author uses a method to analyze the meaning and characteristics of online social games in the form of gambling games. Analyzing which games are classified as an offense or not as an offense of gambling on the Internet, both in terms of Thai and foreign laws, as well as analyzing the determination of the offense base and penalties for those who organized it. To play and people who play online social games in the form of gambling. Including the establishment of an agency to control and inspect the types of online social games that may be considered gambling to inspect the content of online games. Especially online social games that can be played through websites. or downloaded through an application from a mobile phone or tablet, which is difficult to verify suitability.

Results: From research, it was found that to make law enforcement more efficient and to amend gambling laws to be in line with current social conditions as much as possible.

Conclusion: From the research results, it was found that The Gambling Act, gambling on the Internet gamblers Organizer of gambling and equipment used in gambling Amendment to the base of offenses and penalties of offenders about being a player The organizer of both gambling in general and gambling on the Internet. Enactment of a provision to protect children and young people from gambling. as well as the establishment of a specific regulatory body for gambling This is so that it can be adapted to the case of playing online social games that are similar to gambling. In addition, other measures have been set. including technical measures Government measures and social measures to effectively control and suppress gambling on the Internet.

Keywords: Law Enforcement; Online Gambling; Gambling Act

Introduction

Nowadays, technological evolution has developed greatly. The lives of the people in society are all dependent on technology, especially through the Internet. Whether searching for information communication, conducting various transactions, or even for entertainment Etc. the development of technology for transmitting information by multimedia media such as the use of text, audio, images, video, graphics, or animated graphics, etc., which is a channel for doing more business services. in various facilitations but there are still many disadvantages as well. One of the services that are becoming popular in online society today and will have a study on the problem is the service of playing or downloading online games or online social games, whether through a web browser, such as a Facebook

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game or through a mobile application which may be related to gambling on the Internet also known as gambling games online (Uea-amnuay, J. 2008: 89)

Gambling has been with human society for a long time. no matter what country in the world or any culture we cannot deny that gambling tends to infiltrate everyday life and every part of society. Each society has different rules showing that gambling is bad. It's a bad thing, but after many years, gambling still exists. In addition, today is the era of borderless technology. The growth of gambling in the past decade has grown even more exponentially and expanded more widely. Eventually, it became a big business that made huge profits, with many countries pushing gambling to become legal to stimulate the economy. generate income for the countries in the United States, England, China, and Korea, as well as in neighboring countries around us that all have legal gambling sources, for example, Malaysia. Singapore while Thailand Gambling, although not yet legalized, is growing in many areas causing concern. (Chutinan, A. 2014)

Problem gambling is another problem that has been debated for a long time. Gambling is considered a Mala Prohibita offense. It is what the law defines as an offense and needs to be regulated by law as gambling is a leading cause of other types of crime. In the past, Thailand had legalized gambling in the early Rattanakosin period. by opening a lottery casino Later, during the reign of King Chulalongkorn, Rama V, he announced the cancellation of gambling. Because he saw that Thai people were addicted to gambling until they were in debt. Canceled the premiums in the capital and various districts of Siam country Until later, in the reign of King Rama VI, he realized that " gambling is a bad thing " and had a royal command. to close casinos and lottery plants that have been in existence for more than 81 years in Siam throughout the Kingdom and no one shall be allowed to play Pu Beans in the Kingdom any longer. Considering that gambling was prohibited and an illegal act until the reign of King Prajadhipok, Rama VII, the Gambling Act B.E. 2473 was promulgated, which was the first law. that collected various gambling laws came the same place later in the reign of King Ananda Mahidol Rama VIII, the Gambling Act of 1935 was promulgated to improve existing laws to be more modern. which the said Gambling Act is still in force today Although there have been many amendments to the said Act, the most recent being in 1962, and has not been amended until now, which has been more than 58 years, the said law is therefore considered to have been amended. It is outdated and cannot keep up with the changes in society and the current era. Since today's society has stepped into the era of globalization, the evolution of modern technology has undeniably played a role in the lives of people in society. Gambling has developed new forms and methods of playing. up to attract new players to gamble more Until becoming online gambling or online gambling where players can access gambling channels more easily than before through the Internet Just use a device that can connect to the Internet. whether through mobile phones, smartphones Notebooks, tablets, electronic devices online websites, or various applications such as Facebook or Line chat programs can gamble without having to travel to the place to play. Gambling as in the old days and still able to gamble without limits on time and place, making it easy and fast to access online gambling. Online gambling has been very popular among children and young people in every country, including in Thai society. Although gambling is illegal under the Gambling Act B.E. 2478, there is still illegal gambling in Thai society every year. (Jitsawang, S. 2020; Yongyutthawichai, R., & et al. 2020)

Gambling in Thailand today still exists as before. Because it is unable to stop the behavior of all gamblers to diminish or stop gambling. There is also an ever-increasing group of new gamblers, so problem gambling is a threat to public order and internal security. Although after the promulgation of the Gambling Act. The latest amendment was No.8 in the year 1962 and is still in effect today. without any further amendments Although there was an attempt to revise the Gambling Act again in 2011, finally, the Gambling Bill was dropped. Due to the dissolution of the parliament that year, the Gambling Act B.E. 2478 was not amended again. For a period of up to 58 years, the obsolescence of such laws resulted in inefficient enforcement. In addition, in terms of content in some sections, there are inconsistencies with social conditions. The current economic and changing situation (Mongkolin, A. 2015: 215)



Nowadays, online gambling or gambling through the internet network. It is one of the disadvantages of the internet network as players can gamble from all over the world, through the website or various applications via computer or even on a mobile phone, which facilitates gambling more easily, including graphics of images and atmosphere like realistic gambling and difficult-to-arrest offenders Online gambling that is popular among many people is online football predictions. Online casinos, which are currently considered in Thailand Players and organizers Offense under the Gambling Act B.E. 2478 (Chanthasen, C. 2023: 2)

Online gambling such as online casinos baccarat online football betting online boxing betting, etc. It tends to grow and become more popular. Due to the border lessness of the Internet and the anonymity of the user, the administrative or police officers are unable to arrest promptly. Or unable to collect complete evidence to prosecute the perpetrators. Therefore, the expansion of various forms of online gambling causing excitement in many aspects including relevant laws that countries Have reviewed and have clear legal measures to control online gambling, especially in each country This is to prevent online gambling from happening. If people in society have access to gambling easily. The impact that society may have after It is causing the commission of other criminal offenses such as the commission of property offenses, the commission of sex offenses, the commission of offenses concerning life and body, etc. Currently, the law Measures to control and enforce direct commissions of gambling offenses are: Gambling Act B.E. 2478, however, The Gambling Act 1935 has been in place for a long time. Although there have been additional amendments, rules, regulations, and orders of the administrative department have been issued. Was unable to deter the offense according to the intent to keep up with the current situation with the expansion of online gambling in various forms (Uea-amnuay, J. 2008: 90-91)

Therefore, the study authors agreed that gambling laws should be amended to be in line with the current social conditions as much as possible. In addition, playing online social games that are popular among children and young people is different from online gambling games in that online gambling games or online gambling website It is intended to provide direct gambling. But online social games, if at first glance, can be seen as a general game with a variety of types of play. but maybe hidden in the form of a gambling business that allows players to enter Gamble luck, measure their luck, or play with the characteristics of gains and losses. whether it is a purchase within the game that hides information or buying random items. In this paper, there is a problem in analyzing the meaning and nature of online social games in the form of gambling games. Whether it is an offense or not an offense in gambling on the Internet, both in terms of Thai and foreign laws, as well as analyzing the determination of offenses and penalties for those who Organize playing and people who play online social games that are in the form of gambling. Including the establishment of agencies that come to control and investigate the types of online social games that may qualify for gambling to review the content of online games. Especially online social games that can be played through the website. or downloaded via an application from a mobile phone or tablet, which is difficult to verify for suitability This is to enable law enforcement to be effective.

Objectives

1. To study the history Definition and background of internet network and internet gambling as well as the type and form of the game that will be analyzed to determine which game is a game that resembles a gambling game on the Internet
2. To study the gambling laws in Thailand whether the current laws can be applied to games that may be considered gambling games on the Internet or not and how to control measures.
3. To suggest appropriate ways to improve gambling laws. Including measures to control games that look like gambling games on the Internet to be able to be enforced effectively
4. To find in-depth explanations about the causes of online gambling behavior of learners at the basic education level. Both in dimensions, background, causes, processes, and effects of online gambling addiction.



Assumptions

Nowadays, gambling on the Internet has grown immensely and comes in many forms, including in the form of online social games that look like gambling. Some online social games are generic, while others have gambling-like content. Which The laws of foreign countries will clearly define the elements of the offense of gambling that must consist of what makes it easy to distinguish the characteristics of online social games that different game characteristics Is it considered gambling on the internet? Including having clearly defined the basis of offenses and penalties for organizers of play and gamblers, with specific authorities that come to supervise the matter of gambling although the Gambling Act B.E. 2478 In Thailand, there will be provisions related to gambling, such provisions are still unclear in terms of definition. Base of offense and punishment as well as regulatory agencies Therefore, the study authors agree that there should be amendments to the laws governing online social games that are in the form of gambling. Clearly define the base of the offense and the punishment. Including the establishment of an agency that will specifically inspect and supervise gambling by coming out in the form of a ministerial regulation or a ministry announcement under the Gambling Act B.E. 2478 to solve such problems.

Methodology

In the research study, research methods were used and data collection was documented research. The study was conducted from legal textbooks, articles, journals, theses, and related research reports. both foreign and Thai laws, including Information obtained from internet research or websites. Both in Thai and foreign languages, which will bring information collected to auction and analyze various problems. related to online social games that are connected to gambling on the Internet around the world to find ways to solve problems Including appropriate control and inspection measures in the future.

Results

Nowadays, information technology has developed and has changed a lot, making gambling easily accessible from many channels. It is also a business that has received attention and has a growing rate that is constantly widening, resulting in a large number of business operators adopting gambling strategies. By integrating text, images, sound, video, or graphics into the communication at the same time to attract the attention of customers to use their business services. Gambling on the internet or online gambling today. It is a business that is actively being conducted on the Internet all over the world, especially in countries where gambling is legal.

However, even in some countries gambling is outlawed. However, there are still entrepreneurs in the online gaming industry who have adopted the form of gambling games to develop online social games to make the games interesting and able to attract people to interact with each other. Playing games together on the Internet with a game style that is similar to gambling in the real world used in the storyline of that online social game Whether the game is in the form of a casino betting match Championships or the use of virtual money to reward players, for example, raises the issue that if it is the case of online social gaming that is in the form of gambling. Including receiving prizes in the form of virtual or not, can be considered gambling and is a return from gambling through online social gaming. According to gambling under the Gambling Act B.E. 2478

From a comparative study on the enforcement of gambling control laws on the Internet in the case of online social games that are virtual gambling. According to the Gambling Act B.E. 2478, it was found that in Thailand there are three problems as follows:

The first is the problem of defining meaning. Whether determining the meaning of the word gambling and gambling on the Internet has not been specifically defined as what it means and how much it is. It causes problems in interpreting whether online social gaming in the form of gambling, including playing offline games, will be classified as gambling under the Gambling Act B.E. 2478 or not because it will There is only the opinion of scholars and the line of judgment. which if there is a line of judgment that has laid down the principle that Gambling must be a game for obtaining valuable assets with gain or loss by using one of the methods of gambling. Adapted to such cases, it may make



such games illegal gambling due to the acquisition or loss of prizes within the game. It is considered to be a loss of all interests of the players, in addition, the said Act does not specify the definition of a gambler, a play organizer, or a gambling device. It will be detrimental to finding the culprit. can come to punish because there is ambiguity in determining who the players are. organizer to play or what types of devices are classified as gambling devices, making it difficult to apply laws to new forms of gambling. Especially gambling in the form of online social games.

Secondly, even though the Gambling Act, and the organizer of gambling in Section 11, which has been defined, including the offense of deception Helps advertise or persuade people to enter gambling as well. but anyway, The Act retains only a relatively narrow and outdated provision of offenses and penalties and does not provide for Internet gambling offenses and penalties. Including other offenses such as provisions that protect children and young people from gambling offenses for using the venue. Offenses in supplying, installing, modifying instructions or computer programs or offenses in possession of equipment This is an offense that may occur from gambling on the Internet or from playing online social games that are similar to gambling in which prizes can be exchanged for real money. Offenses and penalties cover all offenders, making it impossible to bring some offenders to the penalty because there is no law stipulating that it is an offense.

Finally, although the Gambling Act B.E. 2478 gave the police the power to prevent and suppress gambling-related offenses. national under the Ministry of the Interior But at present, there is still a problem of coordination between agencies involved in gambling-related offenses. Because gambling today has developed greatly. Different from gambling in the past had to be played simultaneously in the same place, making arresting easy using only one agency to arrest the perpetrator brings offense to punishment but in the case of gambling on the Internet, especially playing online social games that have a form of gambling that is mainly played through the Internet system, which in supervising the content on the Internet And the supervision of game content is the responsibility of each agency. Including coordinating with the Anti-Money Laundering Office, which is responsible for seizing or freezing assets related to illegal gambling, resulting in coordination between various government agencies In Thai practice, there are still some cases where there is confusion and overlap of the authority of each agency. This results in delays in collaboration and the inability to catch the perpetrators promptly. In addition, the implementation of measures such as technical measures also have many flaws, such as avoiding access to websites or registering URLs. new, or in the case of shutting down government ideas and solutions to civil society agencies, etc.

Based on a comparative study of foreign gambling laws, including those in Oregon and Washington. USA and UK law This is a country where gambling is illegal. Unless it is a play that is allowed to be held, it is found that the laws of each country have defined definitions of both meanings. Gambling and Gambling on the Internet have clearly defined the elements of a gambling offense that must consist of what it must consist of; In addition, there has also been a definition of gamblers Organizer of gambling including gambling equipment This makes it convenient to apply the law to the facts that arise. This makes it possible to apply it to the case of playing online social games that have a form similar to gambling that is not a gambling offense. In the case where it is considered a gambling offense, it must appear that: It is a game that earns prizes that can be exchanged for money or things of real value. Therefore, there is no problem in interpreting the law at all.

As for the basis of the offense and the punishment the laws of each country have established laws that criminalize gambling on the internet and also have provisions regarding the protection of children and youth from gambling by setting a minimum age for participating in gambling. Legalization is allowed at the age of 18. However, English law has a slightly broader range of offenses than those in Oregon and Washington. In addition to the determination of offenses and penalties regarding gambling organizers and gambling entrants, the offense has also been established to cover the case of providing gambling facilities at a distance. Possession of gambling equipment, procurement, installation, modification of computer instructions or programs, etc., make it possible to prevent and suppress illegal gambling more effectively than Thailand's laws.



In addition, as for the agencies involved in foreign gambling, there is an agency specifically established to oversee gambling matters, namely the Gambling Commission. Its main duty is to take care of all gambling-related matters, whether it is Licensing Providing consultations to government agencies including problem solving and gambling education etc., which is different from Thailand which does not have a specific regulatory agency.

However, although the Gambling Act B.E. 2478 can be applied to online gambling problems still arise in interpreting and applying the law. Including problems in coordination and measures that still have disadvantages. Because gambling on the internet, especially in the case of online social gaming, is a very sophisticated form of gambling. This makes the law unable to enforce the punishment of the offenders effectively Therefore, it is deemed appropriate to have an amendment by adopting the laws of foreign countries as a guideline for further amendments.

From the above information, it can be concluded that Gambling may not yet be an important problem that Thailand must urgently address. At the same time, the problem that should be given more importance should be in the matter of enforcing compliance with the law. In the past, it can be seen that whether it be forcing existing legal gambling to meet its conditions or cracking down on illegal gambling, none have been very successful. Therefore, if any government has the idea to put forward a free gambling policy. or legal gambling Whether it is for economic reasons to stimulate the economy Developing the country into a tourism industry that will generate huge income for the country. Or the reason for doing something illegal becomes legal, which will make it easier to control. It should be aware of the need to give the public confidence in the process of implementing the law. This is something that should be done as a priority as previously stated. At the same time, there should be a serious study of the patterns and impacts that will occur. By using case studies from the formats of casino establishments from many places. Successful countries are compared. especially in neighboring countries Opening a legal casino is certain to have both good and bad results that will follow later. If the policies and rules used in the administration

For Thailand, the controversial issue of legalizing the casino business is still unresolved. Those supporting the opening of casinos in Thailand saw that since Thai people were already gambling, whether it was legal or illegal, they would play anyway. Therefore, it should be legalized so that it can be controlled to adjust the informal economy to the system. It will have a positive effect on the economy because the government will have income from collecting taxes from foreign tourists and will prevent money from flowing out of the country. According to Thai people flocking to gamble along the border in large numbers, opponents see that the gambling business does not create real income like other occupations, it is just a transfer of income from one group to another. Another group is in such a way that one person wins and another loses. Opening up legal casinos will cause more people to turn to gambling. This results in both economic and social instability because gamblers' lifestyles depend on risk and uncertainty. Legal casinos are a source of laundering of illegal proceeds, making it more difficult to verify assets or where the money comes from. Therefore, the decision to accept the opening of legal gambling dens was It is a matter that must be thought through carefully. It is also necessary to consider the social context that gambling has about people in that society. How and in what forms or channels? So, you can find the answer that society has. There should be guidelines or policies for dealing with gambling inefficiency. These rules may sometimes be appropriate for one country. But it may not be suitable for another country, depending on the environment of each place, which may be different, whether it is the social environment, education, culture, or laws, including the quality and efficiency of the people.

Recommendation

Many current Countries around the world have opened legal casinos under government control. The goal is to earn income from tourism and solve the problem of people in their country going to gamble abroad, which results in a large amount of money flowing out of the country each year. However, these countries have clear regulatory measures to achieve transparency and high social accountability, especially taking into account both short-term and long-term impacts on society. for



Thailand, the legalization of casinos in Thailand is still an unresolved controversy. Although the government has a policy to open a casino in Thailand It can be seen from the efforts to amend the Gambling Act B.E.

The first option, if the government has a policy to open legal gambling, the state should prioritize the types of gambling that have a significant impact on society. The state should come in and manage to reduce the impact on society. The opening of a legal casino may be a relief for society on one side, allowing people in the country who like to gamble to have more options. It also supports foreign tourists who travel to play in Thailand. which is already a country with good potential in tourism resources and service quality.

However, the government should proceed cautiously and should create knowledge and understanding for society to clarify the advantages and disadvantages that the country and society should have from opening a business legally. In addition, the state must be transparent and have high social responsibility. as mentioned above which must be carefully considered step by step for society to recognize in this regard, studying lessons learned and experiences from foreign countries that have been successful in implementing it as a model is another method that the government should give great importance to. In addition, society must help each other to control and not encourage or push people to want to gamble too much. by strictly enforcing existing laws Increasing fines and penalties, including injecting immunity to society Making young people stay with gambling knowingly, and being aware of 5 principles of good governance, which are

1. The rule of law Casino business has some degree of complexity and must have strict rules and regulations. As it turns out, the place has a high standard of gambling. These rules must be made clear, known to the general public, and always updated. The rules that are succinctly established will make the gambling business profitable and good for society. More than the disadvantages that would be received from illegal gambling.

2. Ethics Gambling is an activity that is often branded as evil, that is, the gambling business can always cause serious damage to the mass members of society, but because it is difficult to avoid, the gambling business Therefore, there must always be moral rules to follow. As has been evident in the long past, the teachings of all religions prohibit gambling to establish social order and have the least negative effect on society Therefore, the gambling business must take into account the good moral principles of society, especially cultural and religious principles.

3. The principle of transparency arrangement of the gambling business must be transparent. At every stage of our international activities, clear and concise rules and regulations have been established. To control the gambling business both within the gambling establishment and outside society by bringing the principles of transparency in terms of policy, structure, process, and auditing to bring the general public to know

4. The principle of participation policy, structure, operation, and auditing process must have clear evidence. Be ready to be scrutinized or “recourse” from the public at any time.

5. The principle of value Gambling operations must take into account the principles of value that will be received in various aspects. by compiling the facts of the operation and evaluating the positive and negative effects on society as a whole

The second option is to not allow gambling to be legal, let alone the current reality where virtually all types of underground businesses are subject to Price Economic Rent from government officials. with the duty to arrest and suppress It is also an informal relationship based on reciprocity between the owner of the casino and the local and central authorities in a network. From the region, systematically flows into the central region in addition, we will see the phenomenon that Thai gamblers pour out to play in casinos in neighboring countries that border Thailand in large numbers, especially during several consecutive holidays, including news pictures of entering arrest smugglers gambling in various casinos Both in Bangkok and the region which may be just an illusion

From such suggestions It can be seen that if Thailand chooses the first option, which is to allow legal gambling or casinos The government needs to be prepared in terms of law enforcement to be effective. There is a clear penalty Preparation in terms of location This should be a place provided by



the government and far away from the city, such as a special economic zone along the border. Public hearings will be attended by people from all sectors to be analyzed to fill gaps in various problems. educating Understanding of the people about casinos, the pros and cons that will occur, and the training of morals and ethics, especially youths who are the future of the nation, to realize their conscience and social immunity. Having strict measures to prevent people in the country from playing as much as possible Whether it is a relatively high entrance fee for locals, age restrictions, or prohibition of advertising through various media. that is supportive Including the repression of strict officials to prevent the occurrence of problems in society, whether It's a crime, or drug smuggling. Prostitution, etc. And most importantly, the government that comes into administration needs to be transparent and verifiable if a legal casino is opened at the same time. If choosing the second option Which is not allowed to open a legal casino. There should be more stringent and effective measures to deal with illegal underground gambling.

However, such issues are still a sensitive issue. difficult to decide Because there are still both supporters who want to develop the country and stimulate the economy. whether from tourism employment on the part of those who still give importance to ethics, who believe that gambling is wrong according to Buddhist principles, including many other social problems that may follow. Policy decisions therefore need to be considered from various contexts. There are many related, including studies from lessons and experiences from foreign countries that have been successful in operating as a model.

From the study of gambling laws related to the enforcement of online gambling control by studying the case of online social games with virtual forms of gambling both in foreign countries and in Thailand, including relevant judgments It was found that at present, although the Gambling Act 1935, there will be provisions for offenses and penalties in the case of gambling. However, it has not yet defined the definition of offense gambling and the penalties associated with other forms of gambling. which is played through the Internet Including the establishment of an agency that is responsible for the operation of gambling in particular However, the researcher saw that it was necessary to amend the Gambling Act B.E. 2478 because it was the main act that laid down the rules for gambling offenses. To be in line with the advancement in technology as follows.

Legal Recommendations

1. Define the definition of terms related to gambling. by adding section 3/1 of the Gambling Act B.E. 2478 as follows

Section 3/1 in this Act

Gambling means playing, betting, and gambling by relying on cunning, intelligence, skill, trick, or skill in any event that is uncertain to win or lose and aims to get money. Valuable assets or other benefits to each other from playing that game

Gambling does not include playing, betting, or gambling where the Player is unable to obtain prizes, considerations, or property that may be of value.

Remote gambling means gambling in which the person participates using communication by distance. Communication by distance under paragraph one means communication by any of the following methods:

- (1) Internet
- (2) Telephone
- (3) Television
- (4) Radio or
- (5) Electronic media or other technologies used to facilitate communication

A player is a person who takes part in various forms of gambling. As a gambler Without receiving profits or any other benefits from other players who have won gambling at that time

Gambling organizer means the croupier, the bureau, the person who supervises gambling, the wanderer, and the owner of the place where gambling is used. or service providers on the Internet who have received money or any other benefit from placing bets from other players in the outcome of future



unpredictable events including Person who pays or receives benefits Any other fees or interest from gambling

Gambling equipment means equipment or facilities intended for use in gambling. Unless it is a device that provides entertainment without earning money or paying compensation for gambling.

The addition of Section 3/1 above defines the meaning of gambling and gambling by distance. as well as the meaning of the gambler Provider of gambling equipment used in gambling This will fill gaps in the application of the law as it makes it easy to understand and does not cover the interpretation of the law. That any form of gambling is illegal gambling or who is classified as a player and gambling organizer in addition, a clear definition of gambling can also be applied to the case of playing online social games that are similar to gambling without the acquisition of prizes or things. Compensation value Because it will be an exception to the definition of gambling by the laws of England. The United States has a clear definition and effective gambling laws.

2. Determine the base of offenses and penalties of gamblers. The organizer of gambling on the Internet Including provision of provisions to protect children and youth from gambling as follows

1) Amend and add Section 5 of the Gambling Act B.E. 2478 as follows:

Amendment to Section 5, paragraph one It shall be presumed that such person arranges for his benefit, and whoever plays with it, it shall be presumed that such person gambles money or other property. Playing or gambling in violation of Section 4 paragraph one shall be liable to imprisonment from one year to five years. or a fine from forty thousand baht to two hundred thousand baht or both imprisonment and fine."

In addition to Section 5, paragraph two, "Anyone who gambles or bets in violation of Section 4, paragraph one shall be liable to imprisonment for a term not exceeding three years. or a fine not exceeding sixty thousand baht, or both imprisonment and fine."

In addition to Section 5, paragraph three, "Anyone who arranges for play Which normally would gamble money or other assets to each other It shall be presumed that such person arranges for his benefit, and whoever enters in the game shall be presumed that such person gambles with money or other property." betting

2) Add Section 5/1 of the Gambling Act distance or any other similar method shall be punished twice as much as that prescribed for that offense."

3) Adding Section 10, paragraph one, "A person who owns, produces, possesses, sells, rents, includes or transports gambling equipment, knowing or having reasonable grounds to know that it is a gambling equipment. Shall be punished by imprisonment from one year to five years. or a fine not exceeding one hundred thousand baht to five hundred thousand baht, or both imprisonment and fine." Section 12/1 of the Gambling Act allows other people to play or gamble in games that are not permitted by the official which is a violation of Section 12 against persons under 20 years of age or not of legal age shall be liable to twice the punishment that is prescribed for that offense."

Due to the Gambling Act B.E. 2478 that is currently in use, there is no clear definition of the offense of gamblers and gambling organizers, both for general gambling and gambling on the internet. obsolete as for the possession of gambling devices, there is only a provision that authorizes the authorities to forfeit property and does not impose any offenses and penalties on possession of the device. Including the provision of offenses and penalties related to gambling on the Internet and the chapter on the protection of children and young people from gambling. The researcher therefore deems it appropriate to have amendments and additions to make existing laws universal and up-to-date with current technology and events. This will be consistent with the laws of England that are clear in determining the base of offenses and penalties. In particular, the emphasis is placed on the protection of children and young people, who are more likely to be more easily persuaded to participate in gambling than adults.

Recommendations

In addition to legal recommendations to effectively control and suppress gambling on the Internet, it is necessary to take appropriate measures that require cooperation and coordination from



many parties, especially improvement and correction. technical measures government measures and social measures, which the researcher will suggest as follows;

1. Internet service providers (ISPs) should be allowed to be able to participate in helping officials in their operations, for example, the Ministry of Information and Communication Technology or the police should ask for cooperation from Internet service providers. Examine cases where there are various online financial transaction services. To reduce the possibility of accepting members to gamble online through the website, in addition, all Internet service providers should be required to install anti-gambling protection programs on their computers connecting between Internet network with service users to prevent service users from accessing gambling on the Internet.

2. Internet Service Providers should provide a channel for the general public to complain directly to the Internet Service Provider. To check and notify the information officials, namely the Ministry of Information and Communication Technology or the relevant police, which makes the inspection process faster.

3. Various government agencies such as the Ministry of Social Development and Human Security, Ministry of the Interior Ministry of Education Ministry of Culture, etc. should organize a campaign to disseminate information and knowledge about Gambling and the penalty of legal gambling for children and youth including the general public and issued measures to prevent gambling among children and young people to be strict and clear because children and young people are more likely to be persuaded to participate in gambling more easily than adults.

Acknowledgment

In this online gambling law enforcement research paper, the researcher has studied and analyzed legal problems related to the definition. Determination of offense bases and penalties is the agency that has the authority to prevent and suppress gambling. including various measures related to gambling along with proposing appropriate ways to resolve. In carrying out the study, the research article received good cooperation from qualified people, including related personnel, until the study of this research article was accomplished. this occasion. Finally, the researcher hopes that this research article will be useful to those who are interested in studying online gambling law enforcement issues. Undergraduate and graduate law studies interested in legal issues related to online gambling regulatory enforcement issues. in the current situation which is a real problem in society. Therefore, it is necessary to study for guidelines and legal measures that are suitable for law enforcement in Thailand.

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